



**City Commission Meeting**  
**2 Park Drive South, Great Falls, MT**  
**Commission Chambers, Civic Center**  
**April 16, 2019**  
**7:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL / STAFF INTRODUCTIONS**

**AGENDA APPROVAL**

**CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS**

**PROCLAMATIONS**

1. Arbor Day, Earth Day, and Knights of Columbus Appreciation Days.

**PETITIONS AND COMMUNICATIONS**

*(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and address for the record.)*

2. Miscellaneous reports and announcements.

**NEIGHBORHOOD COUNCILS**

3. Miscellaneous reports and announcements from Neighborhood Councils.

**BOARDS AND COMMISSIONS**

4. Appointment to the City-County Board of Health.
5. Miscellaneous reports and announcements from Boards and Commissions.

**CITY MANAGER**

6. Miscellaneous reports and announcements from City Manager.

**CONSENT AGENDA**

*The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.*

7. Minutes, April 2, 2019, Commission Meeting.
8. Total Expenditures of \$2,547,489 for the period of March 16, 2019 through April 3, 2019, to include claims over \$5000, in the amount of \$2,318,329.
9. Contracts List.

- [10.](#) Approve the Final Payment for the Sanitary Sewer Trenchless Rehabilitation Phase 21 project in the amount of \$357,120.72 to Planned and Engineered Construction (PEC) and \$3,607.28 to the State Miscellaneous Tax Fund, and authorize the City Manager to make the payments.
- [11.](#) Approve a Professional Services Agreement with Advanced Engineering and Environmental Services, Inc. (AE2S) in the amount of \$2,268,008 for the Water Treatment Plant Filtration Improvements project.

**Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member.**

## **PUBLIC HEARINGS**

- [12.](#) Talcott Holdings, Inc. Withdrawal of Application for Annexation and Establishment of Zoning, re: Resolution 10280 to annex a portion of a tract of land equaling +/- 6.254 acres legally described as Mark 7K, in Section 4, T20N, R4E P.M.M., Cascade County, Montana, and Ordinance 3195 to establish I-2 Heavy Industrial zoning. *Action: Approve or deny the request for withdrawal of the application and therefore deny Res. 10280 and Ord. 3195. (Presented by Craig Raymond)*
- [13.](#) Resolution 10288, Approving a Request to Expend Great Falls Downtown Urban Renewal Tax Increment Financing District Funds for Facility Maintenance and Improvements to the City's North and South Parking Garages. *Action: Conduct a public hearing and adopt or deny Res. 10288. (Presented by Craig Raymond)*
- [14.](#) Resolution 10287, Application for Tax Benefits for Remodeling, Reconstruction, or Expansion of Existing Commercial Buildings or Structures, re: Applicant Raegen Breeden's commercial property, Play N' Learn Academy, located at 4241 2<sup>nd</sup> Avenue North. *Action: Conduct a public hearing and adopt or deny Res 10287. (Presented by Craig Raymond)*

## **OLD BUSINESS**

## **NEW BUSINESS**

## **ORDINANCES / RESOLUTIONS**

- [15.](#) Ordinance 3204, Assigning R-5 Multi-Family Medium Density zoning to the properties legally described as Lots 8-21, Block 30 of the Replat of Lincoln Heights, as well as the adjoining right-of-way of 15th Alley South; and Resolution 10290 – Intention to vacate 15th Alley South within Block 30 of the Replat of Lincoln Heights. *Action: Accept or not accept Ord. 3204 on first reading, adopt or deny Res. 10290 and set a joint public hearing for May 7, 2019. (Presented by Craig Raymond)*
- [16.](#) Ordinance 3203, Amending Title 2, Chapter 21, Section 090, of the Official Code of the City of Great Falls (OCCGF), Pertaining to The Great Falls Ethics Committee Meeting Schedule. *Action: Adopt or deny Ord. 3203. (Presented by Sara Sexe)*
- [17.](#) Ordinance 3197, Amending Title 1, Chapter 2, of the Official Code of the City of Great Falls (OCCGF), adding Section 050 Establishing a Public Hearing Procedure. *Action: Adopt or deny Ord. 3197. (Presented by Sara Sexe)*

18. Ordinance 3198, Amending Title 17, Chapter 16, Article 6, of the Official Code of the City of Great Falls (OCCGF), Pertaining to Public Hearings. *Action: Adopt or deny Ord. 3198. (Presented by Sara Sexe)*

**CITY COMMISSION**

19. Miscellaneous reports and announcements from the City Commission.
20. Commission Initiatives.
21. Legislative Initiatives.

**ADJOURNMENT**

*(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)*

*Commission meetings are televised on cable channel 190. If a video recording is available it will be posted on the City's website at <https://greatfallsmt.net> after the meeting. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.*



**Item:** Appointment to the City-County Board of Health  
**From:** City Commission  
**Initiated By:** City Commission  
**Presented By:** City Commission  
**Action Requested:** Appoint one member to the City-County Board of Health for the remainder of a three-year term through December 31, 2021.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission appoint \_\_\_\_\_ to the City-County Board of Health for the remainder of a three-year term through December 31, 2021.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Summary:** Peter Gray served a three year term from January 1, 2016 through December 31, 2018 and was reappointed for another term by the City Commission on November 20, 2018. Mr. Gray stepped down from the Board in March 2019. The City began advertising for the vacancy in early March and has received three applications. Applications were received from: Amanda Ball, Russell Herring and Ty Hedalen.

The City Commission is scheduled to conduct interviews with the Applicants during a Special Commission Work Session on April 16, 2019 beginning at 4:00 p.m.

**Background:** The Board consists of seven members: two appointed by the City Commission (one of whom is either the mayor or a sitting commissioner); two appointed by the County Commission (one of whom is a county commissioner), the Great Falls Superintendent of Schools; a representative of the local medical association; and a representative of the local dentist’s association. The Board is charged under a 1975 Memorandum of Agreement with the supervision and management of the City-County Health Department.

Current Board Members:

Owen Robinson, City Commission Representative  
Matt Martin DDS, Local Dentist's Association Representative  
Ray Geyer, DO, Local Medical Association Representative  
Jane Weber, Cascade County Commission Representative



Terry Barber, Cascade County Appointed Representative  
Tammy Lacey, GFPS Superintendent of Schools

**Alternatives:** The Commission could choose to postpone an appointment for further review or choose not to appoint one of the three applicants and direct staff to advertise for other citizens to apply.

**Attachments/Exhibits:**


Applications from Amanda Ball, Russell Herring and Ty Hedalen.



**BOARDS AND COMMISSIONS  
CITIZEN INTEREST FORM  
(PLEASE PRINT OR TYPE)**

*Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.*

Board/Commission Applying For: <b>City County Health Board</b>		Date of Application: <b>3/11/2019</b>
Name: <b>Amanda Ball</b>		
Home Address: <b>715 2nd Ave N.</b>		Email address: <b>mah.amanda@gmail.com</b>
Home Phone:	Work Phone: <b>(406) 268-3749</b>	Cell Phone: <b>(406) 241-1999</b>
Occupation: <b>Child Protection Specialist Supervisor</b>		Employer: <b>State of Montana</b>
Would your work schedule conflict with meeting dates?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: <b>Current Employment is @ DFS for the past 7 years. In this position I have utilized many community resources and have been a</b>		
Educational Background: <b>High school Grad - 2004</b> <b>UGF Grad 2010 - BS - Criminal Justice, BS forensic science</b> <b>Masters Business Management / Leadership Jan. 2020</b>		
<b>IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:</b>		
Previous and current service activities: <b>Currently serve on Youth Placement Committee. In the past (college) I was highly involved w/ community services (Blue &amp; Gold Runsk), Spook-a-Roo, food drive etc.</b>		
Previous and current public experience (elective or appointive): <b>In my current position I am a Public Servant. I am responsible for training public for mandatory Reporter training.</b>		
Membership in other community organizations: <b>None currently.</b>		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, which board? Youth Placement Committee	
Please describe your interest in serving on this board/commission? I am interested in being more involved in my community and believe that being a part of the City County Health board would be a great way to be more involved w/ my community + help more people.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have a educational / professional background that supports my qualifications to serve on this board. I have worked @ Dfs for 7 years and have worked w/ many families who utilize city county health services.	
Additional comments: I believe that being able to serve on this board is a significant and meaningful way to participate in my civic life.	
Signature 	Date: 3/12/19

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

**Return this form to:**

City Manager's Office  
P.O. Box 5021  
Great Falls, MT 59403

Fax:  
(406) 727-0005

Email:  
kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS  
CITIZEN INTEREST FORM**  
(PLEASE PRINT OR TYPE)

*Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.*

Board/Commission Applying For:		Date of Application:
City County Health Board		3/4/2019
Name: Ty Hedalen		
Home Address:		Email address:
706 5th Ave S, Great Falls, MT 59405		tjhedalen@gmail.com
Home Phone:	Work Phone:	Cell Phone:
		406-498-6711
Occupation:	Employer:	
MBA Student	N/A	
Would your work schedule conflict with meeting dates?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: Bullhook Community Health Center: Board of Directors, Jun 2016-Jan 2017 Bullhook Community Health Center: Chief Operations Officer, Jan 2017-Mar 2018 Community Health Care Center: Chief Financial Officer/Chief Operations Officer, Apr 2018-Dec 2018		
Educational Background: 2007-2011: The University of Montana, B.S. Business Administration - Finance - 3.21GPA 2018-Current: The University of Montana, MBA - 3.96GPA		
<b>IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:</b>		
Previous and current service activities: 2014-Current: Montana Actors' Theatre - Board Member/Financial Manager. 2017: Bullhook Community Health Center - Board Member. 2016-2017: Optimist International. 2016: Hi-Line Documentary Film Festival in conjunction with Humanities Montana and the Big Sky Documentary Film Festival - Developer. 2016: Money Sense Financial Literacy Program - Developer/Presenter. 2013-2016: Teach Children To Save - Presenter. 2013-2014: Hi-Line Economic Summit - Founder.		
Previous and current public experience (elective or appointive): I have not been elected or appointed to any public office.		
Membership in other community organizations: All previously listed.		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, which board? Montana Actors' Theatre - Board Member/Financial Manager	
Please describe your interest in serving on this board/commission? Since June 2016, I have been involved in community health care. I have chosen to take my career in a different direction, but I am still passionate and committed the health of my community specifically through preventative measures and community education. While I was the CFO/COO of Community Health Care Center I had the opportunity to work closely with the Cascade County Health Department as CHCC was still under the Cascade County umbrella. I came to respect and appreciate the work CCHD does and would like the opportunity to work with City County Health from a new perspective, simply as a community member.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? Bullhook Community Health Center: Board of Directors, Jun 2016-Jan 2017 Bullhook Community Health Center: Chief Operations Officer, Jan 2017-Mar 2018 Community Health Care Center: Chief Financial Officer/Chief Operations Officer, Apr 2018-Dec 2018 Montana Actors' Theatre: Board of Directors/Financial Manager, Dec 2014-Current Independence Bank: Loan Officer, Jun 2013-October 2016	
Additional comments: My time spent with two of Montana's community health centers also afforded me numerous national and local training opportunities through NACHC, HRSA, DPHHS, NNOHA, and the Montana Primary Care Association.  I would very much like to continue my history of community involvement with the City County Health Board. Thank you.	
Signature  Tyler J Hedalen	Date:  3/4/19

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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City Manager's Office  
P.O. Box 5021  
Great Falls, MT 59403

Fax:  
(406) 727-0005

Email:  
kartis@greatfallsmt.net

Russell Herring, DNP, APRN, FNP-C, FNP-BC, CSCS  
817 4<sup>th</sup> Ave N  
Great Falls, MT 59401  
(406)750-0343  
rherring1978@gmail.com

Supplementary answers...

Related experiences or background: Family Nurse Practitioner with Great Falls Clinic. Training and education in clinical, population and public health. Former launch and maintenance officer at Malmstrom Air Force Base with training and experience in hazardous materials accident investigation and incident response.

Educational background:

Doctorate of Nursing Practice, Montana State University, 2018  
Bachelor's of Nursing Science, University of Wisconsin-Oshkosh, 2013  
Master's of Aeronautical Safety, Embry-Riddle Aeronautical University, 2010  
Bachelor's of Science, Zoology and Physiology, University of Wyoming, 2003

Previous and current service activities: United States Air Force, Honorable Discharge

Previous and current public experience (elective or appointive): NA

Membership in other community organizations: NA

Please describe your interest in serving on this board/commission? I believe that we are each obligated to serve society in whatever capacity we're able. I served in the United States Air Force, before separating to finish my graduate studies. Now that I am finally finished with school, I feel it is my obligation to serve the community in a setting for which I feel well prepared, capable, and where I feel I can make a useful contribution. As a member of the Great Falls and Cascade County community, I believe I share in responsibility for the health of those environments – particularly as a healthcare provider.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have been a member of the Great Falls community on both sides of the Malmstrom Air Force Base gates, which I feel is extremely important in a community with such a substantial military presence. As a doctorally-prepared family nurse practitioner with Great Falls Clinic, I feel that I have a unique perspective on the clinical issues impacting the individual members of this community, as well as the population-level public health issues which impact us all. I believe that my position as a clinical provider within the community will benefit my insight with the City-County Health Board, and experience with the Health Board will benefit my clinical practice.

Additional comments: My interest in the Board of Health is genuine. I've been attending meetings as a community member, out of simple personal interest. I've found the meetings to be enlightening, and listening to the discourse in the room, feel that I could provide useful information and interact meaningfully with the current board members. I care about the health

and function of the community and feel that someone with my education, experience, background and interest could contribute to Great Falls and Cascade County as a member of the Board of Health.




**BOARDS AND COMMISSIONS  
CITIZEN INTEREST FORM  
(PLEASE PRINT OR TYPE)**

*Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.*

Board/Commission Applying For: <b>City-County Health Board</b>		Date of Application: <b>March 6, 2019</b>
Name: <b>Russell Herring</b>		
Home Address: <b>817 4<sup>th</sup> Ave N Great Falls, MT 59401</b>		Email address: <b>rherring1978@gmail.com</b>
Home Phone: <b>(406) 750-0343</b>	Work Phone: <b>(406) 268-1600</b>	Cell Phone: <b>(406) 750-0343</b>
Occupation: <b>Family Nurse Practitioner</b>	Employer: <b>Great Falls Clinic</b>	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: <b>Please reference typed response.</b>		
Educational Background: <b>Please reference typed response.</b>		
<b>IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:</b>		
Previous and current service activities: <b>Please reference typed response.</b>		
Previous and current public experience (elective or appointive): <b>Please reference typed response.</b>		
Membership in other community organizations: <b>Please reference typed response.</b>		



Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? Please reference typed response.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? Please reference typed response.	
Additional comments: Please reference typed response.	
Signature 	Date: March 6, 2019

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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kartis@greatfallsmt.net

RUSSELL R. HERRING, DNP, APRN, FNP-C, FNP-BC, CSCS  
 817 4<sup>th</sup> Ave N.  
 Great Falls, MT 59401  
 Cell: (406) 750-0343  
 Email: rherring1978@gmail.com

**EDUCATION**

<b>DATES</b>	<b>DEGREE</b>	<b>INSTITUTION</b>	<b>MAJOR</b>
9/2014 – 5/2018	Doctor of Nursing Practice	Montana State University	Nursing
4/2012 – 5/2013	Bachelor of Science	University of Wisconsin - Oshkosh	Nursing
4/2004 – 4/2010	Master of Aeronautical Science	Embry Riddle Aeronautical University	Aeronautical Safety and Space Studies
9/2000 – 5/2003	Bachelor of Science	University of Wyoming	Zoology with emphasis in Physiology and Genetics
1/1998 – 5/2000	NA	Sheridan College	General Education
8/1997 – 12/1997	NA	University of Northern Colorado	General Education
1/1997 – 5/1997	NA	Eastern Wyoming College	General Education High School Senior
9/1996 – 12/1996	NA	Sheridan College	General Education High School Senior

**LICENSES**

2018 – Present      Advanced Practice Registered Nurse, Family Nurse Practitioner, with prescriptive authority  
 NUR-APRN-LIC-131365

2013 – Present      Registered Nurse, Montana  
 NUR-RN-LIC-69646

**CERTIFICATIONS**

2018 – Present      Family Nurse Practitioner  
 American Nurses Credentialing Center

2018 – Present      Family Nurse Practitioner

	American Academy of Nurse Practitioners Certification Board
2016 – Present	Certified Strength and Conditioning Specialist National Strength and Conditioning Association
2016 – Present	Cardiovascular Registered Nurse, Board Certified American Board of Cardiovascular Medicine
2014 – Present	Pediatric Advanced Life Support American Heart Association
2013 – Present	Advanced Cardiac Life Support American Heart Association
2012 – Present	Basic Life Support American Heart Association

### **HONORS AND AWARDS**

5/2013	Student graduation speaker, ACCEL Nursing Program, University of Wisconsin – Oshkosh
5/2013	Inducted Sigma Theta Tau, Eta Pi Chapter
12/2008	Company Grade Officer of the Year, 341 <sup>st</sup> Missile Maintenance Squadron
12/2008	Company Grade Officer of the Year, 341 <sup>st</sup> Maintenance Group
4/2007	Company Grade Officer of the Month, 10 <sup>th</sup> Missile Squadron

### **PROFESSIONAL POSITIONS**

8/2018 - present	Family Nurse Practitioner	Great Falls Clinic
2/2016 – 4/2018	Radiology Nurse	St. Vincent Healthcare
6/2013 – 2/2016	Telemetry Nurse	St. Vincent Healthcare
9/2014 – 8/2015	Emergency Department Nurse	Billings Clinic
4/2011 – 5/2012	Telemetry Technician	St. Vincent Healthcare
8/2009 – 8/2010	Flight Test Officer	576 <sup>th</sup> Flight Test Squadron
6/2008 – 8/2009	Flight Commander	341 <sup>st</sup> Missile Maintenance Squadron
6/2007 – 6/2008	Executive Officer	341 <sup>st</sup> Operations Group

1/2007 – 6/2007	Flight Commander	10 <sup>th</sup> Missile Squadron
10/2006 – 12/2007	Combat Crew Commander	10 <sup>th</sup> Missile Squadron
5/2005 – 10/2006	Deputy Commander, Senior Instructor Combat Crew	341 <sup>st</sup> Operations Support Squadron
7/2004 – 4/2005	Deputy Combat Crew Commander	10 <sup>th</sup> Missile Squadron

### **RESEARCH**

2014 – 2018	Outpatient management of congestive heart failure patients in partial fulfillment for the requirements of DNP (ongoing)
8/1999	Field research assistant for Dr. Marion Klaus, Sheridan College Published by Dr. Marion Klaus in <i>Arctic, Antarctic, and Alpine Research</i> 35(1):100-109. 2003

### **MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS**

2018 – Present	American Association of Nurse Practitioners
2016 – Present	National Strength and Conditioning Association
2013 – Present	American Nurses Association

# JOURNAL OF COMMISSION PROCEEDINGS

April 2, 2019

Regular City Commission Meeting

Mayor Kelly presiding

**CALL TO ORDER:** 7:00 PM

Commission Chambers Room 206

## **PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Tracy Houck, Owen Robinson, Bill Bronson, and Mary Sheehy Moe. Also present were the City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Engineer Dave Dobbs; Finance Director Melissa Kinzler; Planning and Community Development Director Craig Raymond; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

**AGENDA APPROVAL:** There were no changes proposed by the City Manager or the City Commission. The agenda was approved as submitted. City Manager Doyon explained that Initiatives for Item #19 will be discussed during that portion of the meeting.

**CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS:** Commissioner Bronson announced that he would be abstaining from the discussion and vote on Item #15

### **1. PROCLAMATIONS**

Commissioner Moe read Week of the Young Child; Commissioner Houck read Public Safety Telecommunicators Week; and Mayor Kelly read Esophageal Cancer Awareness Month.

### **PETITIONS AND COMMUNICATIONS**

### **2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**John Hubbard**, 615 7<sup>th</sup> Avenue South, inquired about the status of the water quality, and expressed concern with regard to tax increases, as well as the cost of the Gore Hill Water Tower logo.

Referring to Mr. Hubbard's water quality inquiry, Public Works Engineer Dave Dobbs responded that the most recent tests came back below the limits, and the chlorine is down as a result of the new ultraviolet system. Engineer Dobbs clarified that the water was never toxic and is safe to drink.

**Laura Hodges**, 2204 3<sup>rd</sup> Avenue North, expressed concern with regard to Ordinances not being enforced for vehicles parked on sidewalks. Ms. Hodges commented that walkability is a quality of life issue.

Mayor Kelly encouraged Ms. Hodges to discuss her concerns at a Neighborhood Council 8 meeting.

### **NEIGHBORHOOD COUNCILS**



**JOURNAL OF COMMISSION PROCEEDINGS**

**April 2, 2019**

**3. APPOINTMENTS TO THE GREAT FALLS CITIZEN'S COUNCIL.**

**Mayor Kelly moved, seconded by Commissioner Robinson, that the City Commission appoint Commissioners Bronson and Houck to serve on the Great Falls Citizen's Council also known as Council of Councils for the May 29, 2019 meeting.**

Mayor Kelly asked if there were any comments from the public, or discussion amongst the Commissioners.

Commissioner Houck commented that she may not be available; however, she would find a replacement.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

Mayor Kelly commented that appointments to the Council of Councils for the October 29, 2019 meeting will be made at a later date.

**4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Kelly encouraged Neighborhood Council members to update the Commission either at a Work Session or Commission meeting.

**BOARDS & COMMISSIONS**

**5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

Mayor Kelly noted that the Parking Advisory Commission gave an update at the April 2, 2019 Work Session.

**CITY MANAGER**

**6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon announced:

- The City 190 system upgrade has been ordered and installation and training will be in May, 2019.
- Congratulations to Adam Jordan and Jed Sauder for being promoted to firefighter first class, as well as Joe Tinsley who completed his paramedic training.
- The Planning and Community Development Department will be closed Friday, May 3, 2019 for Development Review Training.
- Congratulations to Public Works Traffic Manager Jerry McKinley on his retirement.

## JOURNAL OF COMMISSION PROCEEDINGS

April 2, 2019

- Current Board and Commission openings include: the Housing Authority, Library Board of Trustees, Business Improvement District (BID), Police Commission, City-County Health Board, Golf Advisory Board and Advisory Commission on International Relationships.
- Feedback has been well received for the new format of the Utility Bills.

Police Chief Dave Bowen announced that there is a Swearing in Ceremony for five new police officers on Thursday, April 4, 2019. Two recruits graduated from the Montana Law Enforcement Academy, and Taylor Crouch received the Overall Academic Award.

### CONSENT AGENDA.

7. Minutes, March 19, 2019, Commission meeting.
8. Total expenditures of \$1,399,713 for the period of March 1, 2019 through March 20, 2019, to include claims over \$5,000, in the amount of \$1,120,321.
9. Contracts list.
10. Approve Change Order No. 1 in the amount of \$13,762 and the Final Payment for the Public Works Fuel Tank Purchase and Installation in the amount of \$33,094.99 to NWESTCO LLC., and \$334.29 to the State Miscellaneous Tax Fund and authorize the City Manager to execute the necessary documents and make the payments. **OF 1455.9**
11. Approve Change Order No. 1 in the amount of \$15,517.51 and approve Final Payment for the Meadowlark Drive Sewer Main Reroute in the amount of \$27,597.25 to Geranios Enterprises, Inc. and \$278.76 to the State Miscellaneous Tax Fund and authorize the City Manager to execute the necessary documents and make the payments. **OF 1674.9**
12. Award a contract in the amount of \$416,751 to EJ Carpentry for the Public Works Facilities Repairs, and authorize the City Manager to execute the construction contract documents. **OF 1733**

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the Consent Agenda as presented.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

### **PUBLIC HEARINGS**

**JOURNAL OF COMMISSION PROCEEDINGS**

**April 2, 2019**

**13. RESOLUTION 10286 TO ANNEX AND ORDINANCE 3202, TO ESTABLISH ZONING ON LOT 5 OF GRANDVIEW TRACTS, SECTION 13, T20N, R3E, P.M.M., CASCADE COUNTY, MONTANA CURRENTLY OWNED BY STEVEN AND CRYSTAL JOHNSON.**

Planning and Community Development Director Craig Raymond reported that the owners of the subject property located at 335 21<sup>st</sup> Avenue South, and legally described as Lot 5 of Grandview Tracts, Cascade County, Montana, have filed for annexation of their property in order to be eligible to receive city water and sewer services. The lot is also located within what is known as the Upper/Lower River Road Water and Sewer District, Phase 5. As such, city utility mains have already been extended into the area and the owners within the district will be able to access those services if the Commission approves of annexation. The improvement agreement spells out who is responsible for what, what fees will be required of whom, and lists any on-site or off-site improvements that may be necessary as a result of the proposal.

The property being proposed for annexation is adjacent to current city limits on the north, south and west side. This annexation would be in keeping with the previously agreed to Memorandum of Understanding between the City and the Upper Lower River Road Water and Sewer District, and promote a logical and orderly expansion of the city limits. The designation of R-2 Single Family Medium Density zoning is also consistent with surrounding properties.

On February 12, 2019, the Great Falls Zoning Commission recommended that the Commission approve of the annexation, assignment of R-2 zoning, and that the Commission approve the annexation agreement.

Mayor Kelly declared the public hearing open.

No one spoke in support of or opposition to Resolution 10286.

Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10286 to annex Lot 5 of Grandview Tracts, and approve the Improvement Agreement pertaining to the property and the accompanying Findings of Fact.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Bronson inquired if it is unusual to annex just one property for the Upper/Lower River Road Water and Sewer District.

Director Raymond responded that it is unusual for an individual parcel like this; however, the property is eligible for annexation because of their contiguous proximity to the city limits.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.



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**Commissioner Houck moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3202 and the accompanying Findings of Fact.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

## **14. CDBG & HOME GRANT/COMMUNITY NEEDS PUBLIC HEARING.**

Planning and Community Development Director Craig Raymond reported that this public hearing is for the Commission to provide an opportunity for the community to provide testimony related to observed needs in the community that the City could address through targeted specific Community Development Block Grant (CDBG) funding. The Commission will not take action as the information will be compiled by staff and brought to the Commission along with other input received through community surveys and regular communication with community partners. Staff will also bring forward specific recommendations on possible funding strategies.

Staff has continued their emphasis on community outreach in a number of ways.

- A survey which was widely distributed around the community and circulated to many of the customary agencies which have been traditional community partners as well as other agencies that may not have traditionally been targeted.
- Attendance at the Council of Council's meeting.
- Discussions with city departments on community infrastructure needs that might serve low and moderate income (LMI) areas and aggressively improve Americans with Disabilities Act (ADA) access throughout the city.

Mayor Kelly declared the public hearing open.

**Shyla Patera**, North Central Independent Living Services, 1120 25<sup>th</sup> Avenue Northeast, expressed support of the construction of homes and rentals that are handicap accessible. Ms. Patera concurred with a previous speaker with regard to the importance of sidewalk mobility, as well as addressing parking issues. Referring to the ADA Transition Plan, Ms. Patera commented that she would like to see pavement preservation continue. She concluded that LMI affordable housing and economic development, as well as the City partnering with employers that will hire citizens with disabilities, should be a priority.

**Sherry Arey**, NeighborWorks Executive Director, 2700 3<sup>rd</sup> Avenue North, commented that allowing Staff to maneuver the levels that are to be funded in the different projects would give Staff more leeway. Ms. Arey encouraged Staff to consider CDBG funds for single-family home rehab, and expressed support with regard to the City using CDBG and Home funds to accomplish a variety of priorities.

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There being no one further to address the Commission, Mayor Kelly asked again if the Commissioners had any questions of staff.

There being no one further to address the Commission, Mayor Kelly closed the public hearing.

**15. LEASE OF CITY-OWNED PROPERTY, CURRENTLY HELD BY PUBLIC WORKS SANITATION DIVISION, PARCELS 3016300 & 3015100 LOCATED THREE AND ONE HALF MILES NORTH OF THE MANCHESTER EXIT, COMPRISING OF 316.5 ACRES FOR A PERIOD OF THREE (3) YEARS TO RONALD LAUBACH IN THE AMOUNT OF \$7,000 PER YEAR.**

Public Works Engineer Dave Dobbs reported that after a site selection involving approximately 50 properties, the Sanitation Division purchased two parcels north of Manchester on September 10, 1991, for a total of \$149,708.74, as a potential landfill site. The City Sanitation Division currently uses the High Plains Landfill leased by Montana Waste Systems. The current contract between the City of Great Falls and Montana Waste Systems expires on January 1, 2025.

These parcels were approved as Conservation Reserve Program (CRP) in 1993. Annual rental payments received from the CRP program totaled \$122,901. This program expired on September 30, 2011. With the CRP program phased out for governmental properties, the City looked into leasing the property to the private sector.

By leasing the Manchester property, the City would keep its options open and allow the City Sanitation Division to have leverage in future disposal contract negotiations with Montana Waste Systems. Entering into a crop lease with Ronald Laubach would continue to give the City Sanitation Division additional revenue.

Commissioner Bronson stepped out at 7:47 p.m. and returned at 7:49 p.m.

Mayor Kelly declared the public hearing open.

No one spoke in favor of or opposition to the lease agreement.

Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the cash farm lease agreement from Ronald Laubach for the lease of City-Owned property parcels 3016300 & 3015100 located three and one half miles north of the Manchester Exit, comprising of 316.5 acres for a period of three (3) years.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Robinson expressed concern that the City could lose its leverage if it is unable to get out of the lease before the second extended period.

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City Attorney Sara Sexe responded that the lease has an automatic renewal for two additional two year terms, first and second extended terms, unless there is a six month notice prior to the expiration.

Mayor Kelly inquired what the rate for the five year lease was for Arrow Kay Farms, as well as Arrow Kay Farms not renewing their lease.

Public Works Engineer Dobbs responded that he would provide that information to the Commission once he receives it.

Motion carried 4-0-1. (Commissioner Bronson abstaining)

**OLD BUSINESS**

**NEW BUSINESS**

**16. WESTWOOD PLAZA – MINOR SUBDIVISION, A SUBDIVISION OF LOT 2 OF THE AMENDED PLAT OF BLOCK 1, WESTWOOD NO. 2 ADDITION LOCATED IN THE N ½ OF SECTION 2, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MT.**

Planning and Community Development Director Craig Raymond reported that the applicant is requesting a minor subdivision of the subject property to create two lots. The new lot, Lot 2C, is proposed to be 0.885 acres in size and will become a pad site for a new commercial building along the Northwest Bypass. The proposed new lot conforms to the C-2 General Commercial district development standards in terms of lot area and lot width.

There were a few critical issues that surfaced during the processing of the application and working with the developer. Those items include:

**Existing Encroachments:** There is an existing encroachment on the westerly property boundary of the proposed Lot 2C. This encroachment is related to several parking spaces associated with the adjoining business to the west. The owners are working with the neighboring property to eliminate the encroachment or provide a parking easement on the plat that both parties can agree upon. There is also a dumpster that partially encroaches on the lot that is being used by the adjoining business to the east. All existing encroachments on the newly created lot must be removed or reflected in shared agreements with adjoining property owners.

An existing free-standing sign for Staples is located on the proposed Lot 2C parcel. The Staples store is located on the existing parcel that has been proposed for subdivision. The proposed subdivision would change the status of this sign from “on-premise” to “off-premise.” This will require a sign easement, and the applicant should be aware that the continued presence of the sign will require compliance with specific regulations contained in the City Sign Code.

**Access:** The applicant has been in discussion with the Montana Department of Transportation (MDT) regarding access to the site from the Northwest Bypass. MDT will only allow, a “right-in”

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turn for westbound motorists. As a result, the applicant will have to provide egress from the new lot through the adjoining property to the west. Shared parking and access arrangements already exist that simply need to be updated to reflect the new lot configuration.

**Utilities:** A sewer main currently runs underneath the Northwest Bypass and should be readily available for connection to future development of Lot 2C. A City storm drain line runs along the north side of the Bypass and can be used to outlet storm water. A full drainage report which demonstrates that water quality and quantity standards can be met will need to be provided to the Public Works Department for review. There is an existing water main that is not on either Lot 2B or 2C that would need to be extended to the west to provide domestic water to the site.

The Planning Advisory Board reviewed and approved the draft amended plat for the proposed subdivision on March 12, 2019.

**Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission approve the amended plat for a minor subdivision of lot 2 of Westwood Plaza No. 2 Addition, located in the N ½ of Section 2, Township 20 N, Range 3 East, P.M.M. City of Great Falls, Cascade County, Montana as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

17. **2019/2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) POLICIES AND CITIZEN PARTICIPATION PLAN.**

Planning and Community Development Director Craig Raymond reported that the Citizen Participation Plan outlines the program requirements for ensuring that the citizens of Great Falls are informed about all aspects of the CDBG and HOME program. In particular, the Plan must provide for involvement of those citizens that will be most impacted by the program, low to moderate income (LMI) citizens.

The Plan requires the City to make every reasonable effort to consult with public, private and non-profit agencies that provide service to LMI residents such as housing, health care, and social services. In particular, extra attention must be paid to outreach with agencies that focus services on the elderly, disabled community, and minority populations.

Other components of the Plan include: 1) notification requirements for hearings, 2) making sure all program information is readily accessible, 3) requirements for timely response to public requests, and 4) requirements for amendments to program documents.

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City staff and the City Commission made sweeping changes to the Community Development Block Grant program last year. Over the course of the last year, staff has been working through these changes, communicating with historical community partners, interested citizens and HUD as the year has progressed. This year, staff is not recommending many significant changes to either the Citizen Participation Plan or programmatic policies; however, staff is recommending some minor changes and one substantial change as follows:

- Appeals of City funding decisions for grant requests: Recently, the City Commission adopted Resolution 10283 designating the Board of Appeals as the body to hear any request from grant applicants who disagree with staff's decision relative to grant application funding. This appeal process has been added to the Grant Policies document.
- Elimination of a focus group meeting from the process to determine funding priorities: A focus group meeting was built into the citizen participation process during 2018 to determine the priorities for the current fiscal year. Staff determined that this meeting was not a valuable data collection tool.
- Clarification on the review of loan applications: A clarification was added noting that only loan applications that are "non-emergency" in nature require review by a 3rd party loan board. Currently, emergency loans (for example, loans addressing broken utility lines) only require two City staff signatures.
- Elimination of references to the City's Code Enforcement Officer: In 2018, the City removed this position from being partially funded through the CDBG program.

**Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission adopt the Community Development Block Grant Policies; and adopt the Citizen Participation Plan.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

**Sherry Arey**, NeighborWorks Executive Director, 2700 3<sup>rd</sup> Avenue North, expressed support of the CDBG Policies and Citizen Participation Plan; however, expressed concern with regard to cancelling the focus group.

Mayor Kelly inquired about the focus group being determined not to be a valuable data collection tool.

Director Raymond responded that there were so many small groups at the same time, making it difficult for staff, who had limited knowledge of CDBG, to manage. Director Raymond mentioned that a focus group could be an option for next year.

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Manager Doyon received clarification that the focus group from last year's process was eliminated and everything else has been maintained with regard to public participation.

Commissioner Houck expressed concern that only two citizens provided input for the Consolidated Plan Community Needs Public Hearing. She inquired if notification about the Needs Public Hearing was made available to all service providers.

Director Raymond responded that notice of the Needs Public Hearing was made available to all Great Falls Housing Authority residents and given to the nine Neighborhood Councils, local non-profit agencies, and City Departments, as well as posted on the City's website. Over the past few years, the majority of citizens that provided input at the Needs Public Hearing were in the public service category, which has been significantly reduced.

Commissioner Robinson received clarification that the elimination of the focus group would not affect CDBG allocations.

Commissioner Bronson encouraged staff to take another look at how to better manage a focus group for next year, and to seek public input to the funding allocation process.

Commissioner Moe requested that staff provide the CDBG Policies and Citizen Participation Plan earlier in the future.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-1 (Commissioner Moe dissenting).

18. **AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GREAT FALLS, GREAT FALLS AGRITECH PARK, LLC AND GREAT FALLS AGRITECH PARK OWNERS ASSOCIATION, LLC.**

Finance Director Melissa Kinzler reported that on July 21, 2015, the Commission adopted Ordinance 3134 and approved a Development Agreement with Great Falls Agritech Park, LLC, the Developer, Great Falls Development Authority (GFDA) and the Owners Association, Great Falls Agritech Park Owners Association, LLC pertaining to East Industrial Park Tax Increment Financing Industrial District. The Development Agreement provides for reimbursement to the Owners Association of up to \$6,789,867 for infrastructure improvements consisting of road, water, sewer and rail improvements from tax increment of the District. Reimbursements for the Infrastructure Improvements were agreed to be reimbursed in three phases as set forth in Exhibit B to the Development Agreement. The reimbursements would begin upon the completion and acceptance by the City of each phase of Infrastructure Improvements.

Issues arose from GFDA's execution of the Infrastructure Improvements. As a result, GFDA raised the following issues which would require amendment of the Development Agreement: (1) reimbursement by the City for costs associated with Northwestern Energy's utility work that was not covered by the Development Agreement; (2) the Developer to become the payee for purposes of the reimbursement obligations instead of the Owner Association; and (3) reapportionment of the

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aggregate dollar amount of the reimbursements among the build-out phases due to the Developer's changes in build-out planning and construction bidding.

**Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission approve Amendment No. 1 to Development Agreement with Great Falls Agritech Park, LLC and Great Falls Agritech Park Owners Association, LLC.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

**Lillian Sunwall**, 709 2<sup>nd</sup> Avenue North, Great Falls Development Authority (GFDA), representing the Great Falls Agritech Park, LLC and Great Falls Agritech Park Owners Association, LLC, expressed appreciation to City staff for their efforts.

Mayor Kelly reiterated that there is no overall fiscal impact on the district, and the dollar amount remains the same.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

## 19. **GREAT FALLS ANIMAL SHELTER CATTERY ADDITION (OF 1673).**

Deputy City Manager Chuck Anderson reported that in 2012, the Animal Shelter staff began working with Nelson Architects to develop a Master Plan for the shelter. The plan identified current, desired, and future space needs for the facility and options for achieving those needs. The plan focused on additions to the existing building, including a cattery addition, canine area expansion, interior office and reception area remodeling, exterior façade renovation, site work, and landscaping, and provided cost estimates. The plan was developed due to the increasing Animal Shelter usage and how to best reduce animal stay time in the facility by increasing animal capacity space.

The Commission approved the professional services agreement with Nelson Architects for architectural/engineering services in May, 2013, and in October, 2013 approved the Master Plan facility and funding recommendations provided by staff. Additionally, at the April, 2017 Commission Retreat, the Animal Shelter was given approval to pursue dollar-for-dollar grant matches from the American Society for the Prevention of Cruelty to Animals (ASPCA).

Over the last six-years, the Animal Shelter staff has hosted more than 50 adoption and major fundraising events. Through the combined efforts of the staff and the community partners, the Animal Shelter has raised \$463,185.56 to fund this project.

The proposed Cattery Addition is part of a phased-approach to expand the current facility and to provide new and/or improved services. With this addition, the Animal Shelter will be able to receive and install a new Hydro-Incinerator.

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The Hydro-Incinerator is a state-of-the-art device that uses water to mimic the natural decomposition process, introducing a more environmentally friendly alternative to the current cremation process. Once installed, it's estimated to save at least \$30,000 per year in operating costs. Additionally, having this new incinerator will relieve the Animal Shelter from the \$2,300 annual repair and maintenance costs of the current incinerator.

The Animal Shelter is the only facility in the region that provides any animal cremation service, and the service is used by numerous local/county veterinarians and private citizens. Additionally, this service to the community results in an annual revenue stream in excess of \$40,000 for the shelter. The Hydro-Incinerator is being purchased separately through Bio-Response Solutions Inc., and will be installed during this construction project.

**Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission postpone action on a contract to Detailed Construction in the amount of \$462,000 for the Great Falls Animal Shelter Cattery Addition until September 3, 2019.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Written correspondence in support of the Cattery Addition was received from **Mark Metzger**, ticket 122019e77, and **Linda Metzger**, ticket 1223151a7.

Commissioner Robinson expressed concern with regard to the Great Falls Animal Shelter Cattery Addition and the Maclean Animal Adoption Center combining resources with the Animal Shelter being in conflict with one another. Commissioner Robinson commented that the Animal Shelter building is obsolete, and expressed concern with putting further resources into it. Commissioner Robinson expressed concern with regard to donations intended specifically for the Cattery Addition, as well as continuing with the Commission Initiative. Commissioner Robinson expressed support to the purchase of the new incinerator; however, commented that the bid does not separate the purchase of a new Hydro-Incinerator and the Cattery Addition. He concluded that postponing the bids until May 7, 2019 would keep them current; however, would not allow enough time to consider the Commission Initiative of having conversations with regard to combining the Great Falls Animal Shelter with the Maclean Animal Adoption Center.

Commissioner Bronson expressed concern that having conversations with the Maclean Animal Adoption Center would never result in a situation where everything would be combined with the Great Falls Animal Shelter. Based upon the structure and operations of the Great Falls Animal Shelter in 2007, Commissioner Bronson commented that a recommendation was made to not put any further resources into the building; however, the concept behind the 2007 Masterplan was to continue to operate the Animal Shelter into the future despite the conditions of the building.

By postponing the decision, Commissioner Bronson expressed concern that individuals who made donations for the Cattery Addition could potentially request their donation back, as well as creating an atmosphere of confrontation instead of cooperation.



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Commissioner Houck received clarification that postponing action until September 3, 2019 effectively rejects the bid from Detailed Construction. Commissioner Houck commented that donations were raised specifically for the Cattery Addition, and expressed concern with regard to losing such an incredible bid.

Commissioner Moe commented that she believes Commissioner Robinson can lead the conversations with regard to combining the Great Falls Animal Shelter and the Maclean Animal Adoption Center. She concluded that the two entities have a very similar mission with regard to “Animals First.”

Commissioner Robinson explained that he and Commissioner Moe are the Commission representatives for the Animals First group, which meets weekly to discuss combining the Great Falls Animal Shelter and the Maclean Animal Adoption Center.

Commissioner Bronson inquired about proceeding with the Animal Shelter Cattery Addition causing problems with regard to negotiations.

Commissioner Robinson responded that the Maclean Animal Adoption Center already has a Cattery. If the two entities were combined, it would be possible that the Animal Shelter would no longer be used.

With regard to the Animal Shelter Cattery Addition, Commissioner Moe commented that it would be duplicating the same service, as well as making a financial commitment.

Mayor Kelly commented that there is an opportunity for combining two entities in a new environment to be utilized in a way that was meant to improve the health of the animals. Mayor Kelly explained that a Cattery Addition is definitely needed; however, determining the location needs to be discussed. The City’s obligation to the tax payers is to create efficiencies, and exploring conversations with regard to combining the Great Falls Animal Shelter and the Maclean Animal Adoption Center need to be explored one final time. Mayor Kelly expressed concern about losing such a decent bid for the Cattery Addition; however, he commented that moving forward with the Cattery Addition and Hydro-Incinerator would bring pressure to negotiations for combining the Animal Shelter and the Maclean Animal Adoption Center.

Commissioner Houck received clarification that a Cattery Addition is needed; however, determining the location is the issue.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 3-2 (Commissioners Houck and Bronson dissenting).

### **ORDINANCES/RESOLUTIONS**

20. **ORDINANCE 3197, AMENDING TITLE 1, CHAPTER 2, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) ADDING SECTION 050 ESTABLISHING A PUBLIC HEARING PROCEDURE.**

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City Attorney Sara Sexe reported that Ordinance 3197 establishes standard procedures for conducting public hearings for all City boards, commissions, committees, and councils. This will provide a consistent standard for City officials and staff, along with the public, that will improve efficiency and continue to protect public participation and due process considerations.

**Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission accept Ordinance 3197 on first reading and set second reading for April 16, 2019.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

21. **ORDINANCE 3198, AMENDING TITLE 17, CHAPTER 16, ARTICLE 6, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO PUBLIC HEARINGS.**

City Attorney Sara Sexe reported that Ordinance 3198 will provide assistance to presiding officers in conducting public hearings fairly and efficiently, in educating and informing the public as to the procedures by which public hearings are held, and in allowing a uniform process for public participation in City government.

Ordinance 3198 will require applicants to provide written materials before the public posting of the agenda for the subject meeting. The applicant would be allowed to supply additional materials up to 72 hours before the scheduled meeting, if it chooses to do so after review of the posted staff report. These changes will provide more opportunity for the governing body, the public, and staff to review the materials for substance prior to hearing. This would also reduce the need for postponing actions on agenda items.

Ordinance 3198 will also provide for an additional public hearing after the receipt of new, relevant and credible information during the public hearing. This would allow the information to be fully considered by the governing body, the public, and staff.

Additionally, Ordinance 3198 includes the opportunity for additional public comment on a motion, in limited situations. These situations would be after a hearing is closed, and the motion presented substantially deviates from the publicly advertised motion which was suggested by staff. This would allow the body to hear limited public comment regarding the motion without the need to either set an additional public hearing at a later time, or to postpone the action on the item. Staff anticipates that the need for this additional public comment opportunity would occur very infrequently.

**Commissioner Bronson moved, seconded by Commissioner Moe, that the City Commission accept Ordinance 3198 on first reading and set second reading for April 16, 2019.**

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Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Mayor Kelly recommended a flowchart be included for the second reading on April 16, 2019.

City Attorney Sexe commented that, if Ordinance 3198 is adopted, the Legal Department will provide board training.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

**22. ORDINANCE 3203, AMENDING TITLE 2, CHAPTER 21, SECTION 090, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO THE GREAT FALLS ETHICS COMMITTEE MEETING SCHEDULE.**

City Attorney Sara Sexe reported that the Great Falls Ethics Committee was established in 2017 to help ensure that City officials and staff continue to comply with Mont. Code Ann. Title 2, Chapter 2, pertaining to code of conduct for public officials and the Official Code of the City of Great Falls (OCCGF) Title 2, Chapter 21. As the Code is currently written, the Committee is required to meet on the first Wednesday of the month in the City Commission Chambers after a matter has been referred to the Committee.

Coordinating Committee members' schedules to meet these specific provisions has become difficult, resulting in rescheduling or cancellation of meetings. Staff is recommending to remove this "first Wednesday" requirement to allow greater flexibility in scheduling Ethics Committee meetings. Additionally, Staff recommends to remove the requirement that the meetings be held in the City Commission Chambers, to allow for use of other areas of the Civic Center, as needed. These changes will improve efficiency and allow for more timely meetings.

Staff also recommends that Ordinance 3203 allow for the City Attorney, in addition to the City Manager, to refer issues to the Ethics Committee. This is necessary for situations which arise where the City Manager may be unable or unwilling to refer the issue.

**Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission accept Ordinance 3203 on first reading and set second reading for April 16, 2019.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Commissioner Moe commented that the Ethics Committee should be dissolved, and to rely on the statute that covers Ethics matters.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

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**CITY COMMISSION**

**23. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Kelly expressed appreciation to Commissioner Bronson for filling in as Mayor Pro Tempore at the March 19, 2019 Commission meeting.

Mayor Kelly extended an invitation for community discussion in conjunction with No More Violence Week at the Great Falls College MSU on April 4, 2019 at 6:00 p.m., and encouraged the public to access the website for Alliance for Youth or No More Violence on Facebook to view the full schedule.

Commissioner Houck announced that there is a reception at the Paris Gibson Museum on April 5, 2019 at 4:30 p.m. for Great Falls Public School students to showcase their art at Paris Gibson Square Museum of Art. Commissioner Houck commented that No More Violence Week will wrap up the week with “Rock the Town in Hope.”

Commissioner Houck announced that former State Representative Jean Price had passed away, and commented that the community is a much better place because of her.

**24. COMMISSION INITIATIVES.**

None.

**25. LEGISLATIVE INITIATIVES.**

None.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Robinson moved, seconded by Commissioner Bronson, to adjourn the regular meeting of April 2, 2019, at 9:15 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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Deputy City Clerk Darcy Dea

Minutes Approved: April 16, 2019



**ITEM:** \$5,000 Report  
 Invoices and Claims in Excess of \$5,000

**PRESENTED BY:** Finance Director

**ACTION REQUESTED:** Approval with Consent Agenda

**LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT**  
<http://greatfallsmt.net/finance/checkregister>

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:**

ACCOUNTS PAYABLE CHECK RUNS FROM MARCH 21, 2019 - APRIL 3, 2019	2,497,364.20
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 16, 2019 - MARCH 29, 2019	50,125.00
<div style="text-align: right;">TOTAL: \$ <u><u>2,547,489.20</u></u></div>	

**SPECIAL REVENUE FUND**

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**STREET DISTRICT**

CENTRAL TECHNOLOGIES LLC	FIBER REPLACEMENT (SPLIT AMONG FUNDS)	2,723.43
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**LIBRARY**

BAKER & TAYLOR INC	BOOKS, MAGAZINES & PERIODICALS (SPLIT AMONG FUNDS)	64.61
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**LIBRARY FOUNDATION**

BAKER & TAYLOR INC	BOOKS, MAGAZINES & PERIODICALS (SPLIT AMONG FUNDS)	5,614.13
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**FEDERAL BLOCK GRANTS**

WADSWORTH BUILDERS COMPANY INC	OF 1740.1 ECWP BATH HOUSE REMODEL & RESTORATION	27,321.52
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**ENTERPRISE FUNDS**

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**WATER**

A + ELECTRIC MOTOR INC	HS 4 SYNCHRONOUS MOTOR REBUILD	57,816.00
SHUMAKER TRUCKING & EXCAVATING	OF 1346.3 BOSTON HEIGHTS TANKS REMOVAL	71,161.50
A + ELECTRIC MOTOR INC	HS 4 ADDITIONAL REPAIRS	6,030.00
THATCHER CO OF MONTANA	CHEMICALS	5,474.04

**SEWER**

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	241,274.04
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
HDR ENGINEERING INC	OF 1731.1 SEPTAGE RECEIVING STATION & DEWATERING PUMP REPLACEMENT	30,463.56
ED BOLAND CONSTRUCTION INC	OF 1722.1 LIFT STATION #9 REHAB	126,371.69

**SANITATION**

CENTRAL TECHNOLOGIES LLC	FIBER REPLACEMENT (SPLIT AMONG FUNDS)	2,723.42
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**911 DISPATCH CENTER**

CENTURYLINK	MARCH 2019 CHARGES	5,843.05
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**PARKING**

STANDARD PARKING CORPORATION	CONTRACT SERVICES FOR OPERATING DOWNTOWN PARKING PROGRAM	27,985.50
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**INTERNAL SERVICES FUND**

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**HEALTH & BENEFITS**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	EMPLOYEE HEALTH INSURANCE PREMIUM	773,085.20
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**FISCAL SERVICES**

DATAPROSE LLC	POSTAGE DEPOSIT FOR NEW COMPANY FOR UTILITY BILLS	16,632.00
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**INFORMATION TECHNOLOGY**

HIGH POINT NETWORKS, LLC	ANNUAL MITEL MAINTENANCE	7,732.00
SHI INTERNATIONAL CORP	ANNUAL UNITRENDS MAINTENANCE	5,437.10

**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	FUEL	17,090.65
DUVAL FORD LLC	4 - 2019 SEDAN POLICE INTERCEPTORS BASE AWD	105,896.60
DUVAL FORD LLC	2 - 2019 POLICE INTERCEPTORS UTILITY BASE AWD	60,792.92

**INTERNAL SERVICES FUND (CONTINUED)**

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**PUBLIC WORKS ADMINISTRATION**

ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC	ARCGIS DESKTOP	5,225.00
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**CC FACILITY SERVICES**

MR GREEN LANDSCAPE SOLUTIONS	SNOW REMOVAL	7,690.00
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**TRUST AND AGENCY**

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**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	36,142.70
CASCADE COUNTY TREASURER	FINES & FORFEITURES COLLECTIONS	5,671.00

**PAYROLL CLEARING**

STATE TREASURER	MONTANA TAXES	47,265.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTIONS	10,591.47
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	54,801.96
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	65,899.18
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	125,676.22
US BANK	FEDERAL TAXES, FICA & MEDICARE	199,970.64
AFLAC	EMPLOYEE CONTRIBUTIONS	9,593.20
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	22,541.53
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	16,239.83
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	29,310.33
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	14,744.18
MONTANA VEBA HRA	EMPLOYEE CONTRIBUTIONS	6,586.57

**UTILITY BILLS**

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ENERGY KEEPERS INC	ELECTRICITY CHARGES FOR MARCH 2019	43,465.50
NORTHWESTERN ENERGY	FEBRUARY 2019 WATER PLANT CHARGES	6,881.91

**CLAIMS OVER \$5000 TOTAL:** \$ 2,318,329.18

**CITY OF GREAT FALLS, MONTANA**

**AGENDA: 9**

**COMMUNICATION TO THE CITY COMMISSION**

**DATE: April 16, 2019**

**ITEM:** CONTRACTS LIST  
Itemizing contracts not otherwise approved or ratified by City Commission Action  
(Listed contracts are available for inspection in the City Clerk’s Office.)

**PRESENTED BY:** Lisa Kunz, City Clerk

**ACTION REQUESTED:** Ratification of Contracts through the Consent Agenda

**MAYOR’ S SIGNATURE:** \_\_\_\_\_

**CONTRACTS LIST**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Public Works	Grass Whackers LLC	04/01/2019 – 10/31/2019	\$40/hr + \$2.50 gas service charge (Estimate \$5,000-\$10,000)	Nuisance Grass/Weeds Cutting & Removal 2019 Agreement – cutting non-compliant private properties as assigned
<b>B</b>	Great Falls Police Department	Cascade County	04/16/2019 – 09/30/2021	N/A	Amendment to A Joint Resolution Adopting the Interlocal Agreement for



					Division of the 2018 Byrne Justice Assistance Grant (JAG) Program Award, Application # 2018-H3025-MT-DJ (CR: 101618.9)
<b>C</b>	Great Falls Police Department	Department of the Air Force Montana Air National Guard Headquarters 120 <sup>th</sup> Airlift Wing	03/27/2019 – 01/01/2022	Each party responsible for all costs of its personnel	Ratification of Memorandum of Understanding for Law Enforcement Security/Support at Montana Air National Guard Base (CR: 020618.9D)
<b>D</b>	Public Works	Great Falls Overhead Door/ Castle Reef Enterprises LLC	04/16/2019 – 10/31/2019	\$13,983	Agreement to furnish and install two new overhead doors for the Sanitation Division <b>OF 1733.3</b>
<b>E</b>	Public Works	Great Falls Overhead Door/ Castle Reef Enterprises LLC	04/16/2019 – 10/31/2019	\$72,498	Public Works Construction Agreement for preparation and installation of new overhead doors for the Central Garage Division <b>OF 1733.3</b>
<b>F</b>	Public Works	M&M Real Estate, LLC	05/01/2019 – 04/30/2024	\$533.46/month	Extension to Parking Space Lease Agreement for 34 parking spaces rented to DPHHS (Lots 1 and 2, Block 12, Broadwater Bay Business Park Addition) (CR: 052014.14C)
<b>G</b>	Park & Recreation	Tilleraas Landscape & Nursery	04/16/2019 – 05/31/2019	\$1,920	Agreement to clean up existing beds, pull weeds, prune shrubs and evergreens, remove unwanted plants, install new perennials, shrubs, grasses, small boulders, weed barrier and cedar mulch at Warden Park

<b>H</b>	Public Works Water Plant	A+ Electric Motor, Inc.	04/05/2019 – 06/30/2019	\$25,000	Ratification of Agreement to recondition the Water Plant Pump House motor for low service #4
<b>I</b>	Public Works Engineering	SW Investments of Montana LLC	Perpetual	\$1.00	Easement for a public water main that will be installed and maintained by the City across the property of the new North 40 business located within Parcel A of COS 513 in the SW1/4 of the NE1/4, Section 2, T20N, R3E, PM MT <b>OF 1732.4</b>



**Item:** Final Payment: Sanitary Sewer Trenchless Rehabilitation Phase 21, Office File 1674.8

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Approve Final Pay Request

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Final Payment for the Sanitary Sewer Trenchless Rehabilitation Phase 21 project in the amount of \$357,120.72 to Planned and Engineered Construction (PEC) and \$3,607.28 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Approve Final Payment Request.

**Summary:**

This project is a continuation of an ongoing program to rehabilitate sanitary sewer mains, using trenchless technologies to repair badly deteriorated mains. This phase restored 12,604 linear feet of small diameter sewer main. To put the size of the rehabilitation in perspective, it should be noted that this length is the equivalent of 30 city blocks. The rehabilitated mains serve primarily residential areas with the exception of one school and a small commercial property.

**Background:**

Citizen Participation

The construction activity had little impact on the citizens of Great Falls. The contractor was required to keep the sewer mains functioning by utilizing bypass pumping. There were two instances in which sewer services had to be interrupted for a short period of time and in both cases citizens affected were warned in a timely manner according to the terms of the contract. Traffic interruptions were very limited since the majority of main is located along alley ways and residential city streets.

### Workload Impacts

The Utilities and Engineering Divisions of the City's Public Works Department completed sewer main inspections that were used to identify and prioritize the mains which needed rehabilitation. The City Engineering staff designed the project and performed construction inspection and contract administration duties.

### Purpose

This project is a continuation of previous projects to rehabilitate deteriorated sewer mains in a non-invasive manner. Although the sewer mains were functioning, the aged/deteriorated mains had developed pits, cracks, and holes. These defects can lead to raw sewage leaking into ground water and can also make routine maintenance difficult.

By using Cured-in-Place-Pipe (CIPP), the project extended service life and alleviated the issues stated above. Trenchless technology provides the City with a low cost solution that greatly reduces disruption and eliminates utility conflicts.

### Project Work Scope

This project lined 12,604 linear feet of 8 and 9-inch diameter sewer mains at thirty-four (34) locations spread around the City.

### Evaluation and Selection Process:

Two bids were received for this project, one from Planned and Engineered Construction, Inc. (PEC), and the other from Insituform Technologies and opened on July 25, 2018. The two bids were \$378,950.00, and \$434,121.00, with PEC providing the low bid and executing all the necessary bid documents. The City Commission awarded the contract on August 7, 2018.

### Final Payment

The final project cost is \$360,728.00, which is \$18,222.00 less than the original value of the contract. The final value was less than the total contracted value because the actual quantities cleaned and lined were different than the original plan quantities.

### Conclusion

City staff recommends making the Final Payment for the Sanitary Sewer Trenchless Rehabilitation, Phase 21 to Planned and Engineered Construction Inc. and to the State Miscellaneous Tax Fund.

City staff has verified that PEC has completed all work and punch list items in accordance with the plans and contract. The two year warranty period started at the time of substantial completion which was March 7, 2019.

### **Alternatives:**

The City Commission could vote to deny Final Payment.

### **Concurrences:**

City Engineering Staff and the City Utilities Division recommend approval of Final Payment.

### **Attachments/Exhibits:**

Final Invoice-PEC and Claim Form/ Pay Tracking

# PEC, Inc.

**Planned and Engineered Construction, Inc**  
**3400 Centennial Drive**  
**Helena, MT 59601**

**Telephone 406/447-5050**  
**Fax 406/443-8583**  
**www.pechelena.com**

## APPLICATION FOR PAYMENT SUMMARY SHEET

**Owner:** City of Great Falls, MT  
 PO Box 5021  
 Great Falls, MT 59403

**Bill To:** City of Great Falls, MT  
 PO Box 5021  
 Great Falls, MT 59403

**Invoice Number:** 001  
**Invoice Date:** 5-Mar-19  
**Project Name:** Sanitary Sewer Trenchless Rehabilitation - Phase 21  
**Contract No:**  
**Engineer:**

**Period - From:**  
**Period - To:**  
**PEC Project #** C1812  
**Contract Completion Date:**

ITEM	DESCRIPTION	UOM	BID EST.	BID	TOTAL	CURRENT PAY REQUEST		PREVIOUS PAY REQUEST		TOTAL PAY REQUESTS	
			QTY	PRICE	BID EST.	QTY	PRICE	QTY	PRICE	QTY	PRICE
101	Clean and TV Pipe	LF	12,501	\$5.00	\$62,505.00	12,604.0	\$63,020.00		\$0.00	12,604.0	\$63,020.00
102	Install 8" CIPP	LF	6,606	\$21.00	\$138,726.00	7,158.0	\$150,318.00		\$0.00	7,158.0	\$150,318.00
103	Install 9" CIPP	LF	5,895	\$21.00	\$123,795.00	5,446.0	\$114,366.00		\$0.00	5,446.0	\$114,366.00
104	Internally Reinstated Laterals	EA	380	\$50.00	\$19,000.00	382.0	\$18,100.00		\$0.00	382.0	\$18,100.00
105	Mobilization	LS	1	\$14,924.00	\$14,924.00	1.0	\$14,924.00		\$0.00	1.0	\$14,924.00
106	Misc. Work	Unit	20,000	\$1.00	\$20,000.00		\$0.00		\$0.00		\$0.00
						<b>TOTAL INVOICE CLAIM:</b> \$ 360,728.00		\$ -		\$ 360,728.00	
<b>Remit To</b>						0% LIEN FUNDS RETAINED:		\$ -		\$ -	
						LIEN FUNDS RELEASED:		\$ -		\$ -	
						0% LOCAL STATE TAX:		\$ -		\$ -	
Planned and Engineered Construction, Inc						LESS PREVIOUS PAYMENTS:		\$ -		\$ -	
3400 Centennial Drive						NET PAYMENT AMOUNT:		\$ 360,728.00		\$ 360,728.00	
Helena, MT 59601						1% MT RECEIPTS TAX (GRT):		\$ 3,607.28		\$ 3,607.28	
						<b>AMOUNT DUE THIS INVOICE:</b>		\$ 357,120.72		\$ 357,120.72	
						<b>Total Outstanding Balance \$ 357,120.72</b>					
<b>SUMMARY OF LIEN FUND</b>						APPROVED BY: [Signature]					
TOTAL LIEN FUNDS RETAINED: \$ -						TITLE President					
TOTAL LIEN FUNDS RELEASED: \$ -						DATE 5-Mar-19					
LIEN FUNDS REMAINING RETAINED \$ -											

COMMENTS:

**PROJECT FUNDING/EXPENDITURE SUMMARY**  
**O.F.1674.8 Sanitary Sewer Trenchless Phase 21**

PREPARED BY THE CITY ENGINEERS OFFICE: MILS

DATE: 3/6/19

*Final*  
*Pat*

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE					CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
CONTRACTOR: P.E.C	5310-31-565-49310	\$357,120.72	\$0.00	\$0.00	\$0.00	\$0.00	\$375,160.50	\$357,120.72	\$18,039.78
		DATE: 3/16/19						\$0.00	\$0.00
<b>Sub Totals</b>							\$375,160.50	\$357,120.72	\$18,039.78

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE					CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
State of MT 1%	5310-31-565-49310	\$3,607.28	\$0.00	\$0.00	\$0.00	\$0.00	\$3,789.50	\$3,607.28	\$182.22
		DATE						\$0.00	\$0.00
<b>Sub Totals</b>							\$3,789.50	\$3,607.28	\$182.22

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE					CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
Great Falls Tribune	5310-31-565-49310	\$90.15					\$1,000.00	\$90.15	\$909.85
		DATE: 7/27/2018						\$0.00	\$0.00
	VENDOR: GF Tribune						\$1,000.00	\$90.15	\$909.85
<b>Sub Totals</b>							\$1,000.00	\$90.15	\$909.85

PROJECT #	ACCOUNT NUMBER	FUND DESIGNATION	FUNDING	EXPENDITURES	BALANCE
PW341902	5310-31-565-49310	Improvements other than buildings	\$379,950.00	\$360,818.15	\$19,131.85
<b>TOTALS</b>			\$379,950.00	\$360,818.15	\$19,131.85



**Item:** Professional Services Agreement: Water Treatment Plant Filtration Improvements, O. F. 1637.1

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Approve the award of a Professional Services Agreement

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**Suggested Motion:**

1. Commissioner moves:

"I move the City Commission (award/not award) a Professional Services Agreement in the amount of \$2,268,008.00 to Advanced Engineering and Environmental Services, Inc. (AE2S) for the Water Treatment Plant Filtration Improvements, and authorize the City Manager to execute the contract documents."

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:** Approve award of a Professional Services Agreement to Advanced Engineering and Environmental Services, Inc. (AE2S) for the Water Treatment Plant Filtration Improvements project.

**Summary:** This project will replace the filter media and associated under drains of all 16 Water Treatment Plant filter bays. Filter cleaning implements and filter waste water solutions will also be addressed. Additionally plant optimization plans and personnel coaching will be provided as well as updated and integrated software controls to monitor and report plant data.

Two engineering proposals were received and reviewed for this project on March 6, 2019. The proposals were evaluated by a six member committee and scored on their written proposals. The following is the breakdown of the scores:

<u>Consultant</u>	<u>Score</u>
1. AE2S	567
2. Morrison & Maierle	532

Evaluations were conducted using the Architects Engineers Surveyors Selection Policy.

## **Background: Significant Impacts**

The City needs to complete work to replace and improve the filtration system at the Water Treatment Plant (WTP). Filter characteristics have been under investigation over the last decade. In 2010, the WTP staff noticed a decline in filter performance and authorized Advanced Engineering and Environmental Services, Inc (AE2S) to perform a filter media evaluation as an initial step towards identifying potential contributing factors to the declining level of performance. This evaluation determined that the media had experienced excessive degradation and recommended that replacement of the filter media be considered. It was also recommended that operational performance of the filters be evaluated to explore the option of simultaneous implementation of other improvements along with media replacement. As result of the second recommendation, the City retained AE2S in 2012 to complete a Filtration Process Evaluation. This evaluation concluded that to improve filter performance, replacement of the entire depth of the filter media in conjunction with new under drains, and an air back wash system, was needed. In response to these 2010 and 2012 reports, the following professional services agreement and scope of services for the Water Treatment Plant Filtration Improvements has been drafted in accordance with the findings and recommendations.

## **Workload Impacts**

Public Works Administration, Engineering, and Water Utility Staff reviewed proposals and will perform contract administration duties throughout the project.

## **Purpose**

The City is proposing to optimize the Water Treatment Plant clarification and filtration processes per the recommendation of previous engineering reports and investigations.

## **Project Work Scope**

The Consultant's professional service agreement will provide the following services:

1. Provide clarification optimization recommendations and strategies for minimizing disinfection byproduct (HAA5) formation.
  - Performance coaching by technical experts
2. Design phase services. The design work is to consist of:
  - Securing necessary permits from the Montana Department of Environmental Quality (DEQ), and the City of Great Falls.
  - Replacing the filter media to improve filter performance. Specifically considering the different filter media designs available and how they will work with our surface water treatment facility.
  - Looking at options for renovating the existing filter basins and assessing their structural integrity.
  - Replacing the filter beds and adding air scour while maintaining provisions for surface wash.
    - Site evaluation is necessary to determine if installation of the blowers (for air scour) can be done within the existing building footprint or if a separate structure will be required.
    - Installation of additional programming controls.
    - Review of the electrical requirements to ensure that adequate power is available.
  - Replacing the filter under drain system with the latest LEOPOLD Technology.
  - Adding filter to waste provisions to the 1932 and 1952 filter sections (8 filters).
  - Replacing the filter backwash flow meter.
  - Providing a supplemental backwash water supply pipeline to the end of the 1959 filter section.



- Constructing filter to waste effluent piping and related improvements (de-chlorination and water quantity/quality monitoring equipment) to discharge low solids water to the Missouri River via the existing storm main. Determining if the storm main can be used for a Plant Outfall and if so, verification of necessary permitting.
    - A separate building will be required to house the de-chlorination and metering equipment.
  - Geotechnical and permitting services for any new building(s).
  - Reviewing the existing operational data recording and reporting system to identify potential changes that would make it more convenient to obtain and evaluate key operational data generated by WTP instrumentation; adding instrumentation and modifying the controls system accordingly.
  - Optimizing/improving the clarification process to achieve a clarified effluent turbidity of less than 1 nephelometric turbidity unit (NTU).
  - Pending implementation of recommended improvements to the filters, reviewing the performance of the backwash wastewater treatment system and consideration of increasing the storage volume of pumping system capacity to eliminate concerns regarding the volume of waste water generated during the backwash process.
  - Designing of temporary work sites and connections.
  - Submission of bid documents at 30%, 60% and 90% for review and comment by the City, and final bid documents. Each submission will include an opinion of probable construction cost.
  - Conducting two milestone meetings at 60% and 90% with the City.
  - Automating the filter backwash control tables with an option for manual control and tying them into the existing Uninterruptable Power Supply backup.
  - Performing a risk assessment for the project using three construction phases and assist in determining risks of each phase before and during construction, and suggested management strategies.
  - Providing operator training to City Staff. This training will include pre-startup training that will continue through the startup, acceptance testing and commissioning of the phases.
  - Preparing the bid-ready plans, specifications, and estimates for each of the three separate construction phases.
  - Determining the wage rate classification.
  - Completing hazardous materials testing and permitting where needed.
  - Preparation of a schedule of project progress, submittals and values.
3. Construction Services – the construction work for each phase is to consist of the following:
- Project administration
    - Project/construction administration costs shall be broken out for each schedule.
  - Bid Support
    - Providing up to five (5) hard copies of the complete bid documents (plans and specifications) per phase to the City.
    - Providing Bid documents to the Contractor.
    - Preparing agendas and minutes for Pre-Bid and Pre-Construction meetings. Preparing other meeting materials including slides and handouts.

- Reviewing questions from bidders properly submitted to the City of Great Falls.
  - Preparing addenda as required.
  - Reviewing bids, providing written evaluation, and recommendation of award.
  - Construction Administration
    - Preparing agendas, minutes, and administration of weekly project meetings.
    - Reviewing all project submittals
    - Administering contractor pay applications.
  - Providing a full-time resident project representative for the duration of construction.
  - Providing construction observation and progress reporting.
  - Providing construction engineering.
  - Coordinating and reviewing construction phase testing.
  - Administering project close out and As-Built drawings.
  - Administering the warranty throughout the warranty period
    - Tracking warranty requests.
    - Documenting events.
    - Monitoring responses.
    - Interfacing with suppliers.
    - Requesting and monitoring all warranty service needs and corrective activities.
    - Providing any modifications and/or updates to the project record drawings.
4. Instrumentation and controls programming, startup, and support.

**Conclusion**

AE2S was the unanimous choice of all 6 of the selection committee members. City Staff recommends awarding the contract to AE2S in the amount of \$2,268,008.00.

**Fiscal Impact:**

This project is being funded through the Water Capital Improvement Fund.

**Alternatives:**

The City Commission could vote to award the contract to another consultant or reject proposals and request new proposals. Staff does not recommend either of these options.

**Attachments/Exhibits:**

Professional Services Agreement  
Exhibit A - Scope of Services

## PROFESSIONAL SERVICES AGREEMENT

**THIS AGREEMENT** is made and entered into by and between the **CITY OF GREAT FALLS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter referred to as “City,” and Advanced Engineering and Environmental Services, Inc. (AE2S), 300 15<sup>th</sup> Street South Suite #7, Great Falls, Montana 59405, hereinafter referred to as “Consultant.”

In consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree as follows:

1. **Purpose:** City agrees to hire Consultant as an independent contractor to perform for City services described in the Scope of Services attached hereto as Exhibit “A” and by this reference made a part hereof.

2. **Term of Agreement:** This Agreement is effective upon the date of its execution through May 31, 2022. Both parties reserve the right to cancel this Agreement by providing a written thirty (30) day notice to the other party. The parties may extend this agreement in writing prior to its termination.

3. **Scope of Work:** Consultant will perform the work and provide the services in accordance with the requirements of the Scope of Services set forth in Exhibit A and incorporated by reference.

4. **Payment:** City agrees to pay Consultant Two Million Two Hundred Sixty Eight Thousand Eight dollars (\$2,268,008) per hourly rate not to exceed the contract amount for services performed pursuant to the Scope of Services and the standard hourly rates set forth in Exhibit B and incorporated by reference, plus reimbursable expenses set forth in Exhibit B. Any alteration or deviation from the described work that involves extra costs will be performed by Consultant after written request by the City, and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

Consultant shall prepare invoices in accordance with its standard invoicing practices and the terms of this Agreement. Consultant shall submit its invoices to City on a monthly basis. Invoices are due and payable within 30 days of receipt.

5. **Independent Contractor Status:** The parties agree that Consultant is an independent contractor for purposes of this Agreement and is not to be considered an employee of the City for any purpose. Consultant is not subject to the terms and provisions of the City’s personnel policies handbook and may not be considered a City employee for workers’ compensation or any other purpose. Consultant is not authorized to represent the City or otherwise bind the City in any dealings between Consultant and any third parties.

Consultant shall comply with the applicable requirements of the Workers’ Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter

71, MCA. Consultant shall maintain workers' compensation coverage for all members and employees of Consultant's business, except for those members who are exempted by law.

Consultant shall furnish the City with copies showing one of the following: (1) a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or (2) proof of exemption from workers' compensation granted by law for independent contractors.

**6. Indemnification and Mutual Waiver:** To the fullest extent permitted by law, Consultant shall fully indemnify and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to Consultant's or its subconsultant's work on the Project, but only to the extent caused by Consultant's breach of this Agreement and any negligent act or omission of Consultant or Consultant's officers, directors, members, partners, employees, or subconsultants.

**7. Insurance:** Consultant shall purchase and maintain insurance coverage as set forth below. The insurance policy must name the City, (including its elected or appointed officers, officials, employees, or volunteers), as an additional insured and be written on a "primary—noncontributory basis, and on an occurrence, not a claims made basis." Consultant will provide the City with applicable additional insured endorsement documentation substantially similar or identical to the example set forth below. Each coverage shall be obtained from an insurance company that is duly licensed and authorized to transact insurance business and write insurance within the state of Montana, with a minimum of "A.M. Best Rating" of A-, VI, as will protect the Consultant, the various acts of subcontractors, the City and its officers, employees, agents, and representatives from claims for bodily injury and/or property damage which may arise from operations and completed operations under this Agreement. All insurance coverage shall remain in effect throughout the life of this Agreement and for a minimum of one (1) year following the date of expiration of Consultant's warranties. All insurance policies must contain a provision or endorsement that the coverage afforded will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been given to Consultant, City, and all other additional insureds to whom a certificate of insurance has been issued. All insurance documentation shall be in a form acceptable to the City.

**Insurance Coverage at least in the following amounts is required:**

1.	Commercial General Liability (bodily injury and property damage)	\$1,000,000 per occurrence \$2,000,000 aggregate
2.	Products and Completed Operations	\$2,000,000
3.	Automobile Liability	\$1,000,000 combined single limit
4.	Workers' Compensation	Not less than statutory limits
5.	Employers' Liability	\$1,000,000
6.	Professional Liability (E&O)	\$1,000,000 per occurrence

(only if applicable)

\$2,000,000 aggregate

Consultant may provide applicable excess or umbrella coverage to supplement Consultant's existing insurance coverage, if Consultant's existing policy limits do not satisfy the coverage requirements as set forth above.

Additional Insured Endorsement Example:

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY  
CG 20 26 07 04

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED – DESIGNATED  
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.

**8. Professional Service:** Consultant agrees that all services and work performed hereunder will be accomplished in a professional manner. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will

be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality.

Consultant shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Consultant have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a contractor to comply with laws and regulations applicable to that contractor's furnishing and performing of its work. Consultant shall not be responsible for the acts or omissions of any contractor.

**9. Compliance with Laws:** Consultant agrees to comply with all federal, state and local laws, ordinances, rules and regulations, including the safety rules, codes, and provisions of the Montana Safety Act in Title 50, Chapter 71, MCA. As applicable, Consultant agrees to purchase a City safety inspection certificate or special business license.

**10. Nondiscrimination:** Consultant agrees that all hiring by Consultant of persons performing this Agreement will be on the basis of merit and qualification and will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, national origin, or other class protected by state and/or federal law.

**11. Default and Termination:** If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party, at its option, may terminate this Agreement and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

**12. Modification and Assignability:** This document contains the entire agreement between the parties and no statements, promises or inducements made by either party or agents of either party, which are not contained in this written Agreement, may be considered valid or binding. This Agreement may not be enlarged, modified or altered except by written agreement signed by both parties hereto. The Consultant may not subcontract or assign Consultant's rights, including the right to compensation or duties arising hereunder, without the prior written consent of City. Any subcontractor or assignee will be bound by all of the terms and conditions of this Agreement.

**13. Ownership and Publication of Materials:** All reports, information, data, and other materials prepared by the Consultant pursuant to this Agreement are the property of the City. The City has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any re-use without written verification or adaptation by the Consultant for the specific purpose intended will be at the City's sole risk and without liability or

legal exposure to the Consultant. No material produced in whole or in part under this Agreement may be copyrighted or patented in the United States or in any other country without the prior written approval of the City. Subject to the limitations of Mont. Code Ann. §2-6-1003, the City grants Consultant a worldwide, perpetual, nonexclusive, royalty-free license for all reports, information, data, and other materials prepared by the Consultant pursuant to this Agreement.

14. **Liaison:** City's designated liaison with Consultant is Mikaela Schultz and Consultant's designated liaison with City is Nate Weisenburger.

15. **Applicability:** This Agreement and any extensions hereof shall be governed and construed in accordance with the laws of the State of Montana.

16. **Binding:** This Agreement and all of the covenants hereof shall inure to the benefit and be binding upon the City of Great Falls and the Consultant respectively and their partners, successors, assigns and legal representatives. Neither the City nor the Consultant shall have the right to assign, transfer or sublet their interest or obligations hereunder without written consent of the other party.

17. **Amendments:** Any amendment or modification of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of the Agreement.

18. **Beneficiaries:** Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by City or Consultant to any contractor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of City and Consultant and not for the benefit of any other party.

**IN WITNESS WHEREOF,** Consultant and City have caused this Agreement to be executed and intend to be legally bound thereby as of the date set forth below.

**CITY OF GREAT FALLS, MONTANA**

**CONSULTANT**

By \_\_\_\_\_  
Gregory T. Doyon, City Manager

By \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

ATTEST:

(Seal of the City)

\_\_\_\_\_  
Lisa Kunz, City Clerk

\* APPROVED AS TO FORM:

By \_\_\_\_\_  
Sara R. Sexe, City Attorney

\* By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.



**EXHIBIT A – SCOPE OF SERVICES  
WATER TREATMENT PLANT FILTRATION IMPROVEMENTS  
CITY OF GREAT FALLS, MONTANA  
O.F. 1637.1**

Revised: April 4, 2019

Submitted by: AE2S

Advanced Engineering and Environmental Services, Inc. (AE2S) and TD&H Engineering are providing professional engineering services to the City of Great Falls for the Water Treatment Plant (WTP) Filtration Improvements project.

AE2S has prepared the following scope for the filtration improvements. The geotechnical investigation, site/civil design, structural design, and construction materials testing will be completed by TD&H Engineering, as a sub-consultant to AE2S.

The scope of services is to be provided as an amendment to the prescribed requirements of the Professional Services Agreement and related attachments. Descriptions of the proposed tasks to be completed by AE2S under this amendment are provided below:

**I. KICKOFF MEETING AND CLARIFICATION OPTIMIZATION**

- A. Coordinate with the City of Great Falls regarding the scope of the project, prepare an estimate of engineering fees, and submit detailed scope for engineering services.
- B. Perform kickoff meeting with City of Great Falls staff to discuss design team's initial concepts and applicable operational considerations, as well as provide meeting notes to the Owner.
- C. Coordinate with City of Great Falls staff regarding existing operations, existing operational data compilation, and clarification optimization strategies.
  1. Provide onsite clarification/pretreatment optimization and performance coaching.
  2. Conduct source water sampling and jar testing.
  3. Prepare technical memorandum of clarification optimization results and recommendations. Format will be similar to the 2012 Filter Technical Evaluation document and be provided to facilitate operator education and training.
  4. Schedule, prepare for, and participate in two (2) clarification optimization review meetings with the City of Great Falls staff, as well as provide meeting notes to the Owner.

Estimated Fee: \$56,192

**II. PRELIMINARY ENGINEERING DESIGN**

- A. Coordinate with City of Great Falls staff regarding filter condition, design and construction phasing concepts, and project constraints.
  1. Conduct a topographic survey of the site for the purpose of preparing technical drawings and establishing benchmarks at the site.
  2. Conduct a geotechnical investigation to facilitate the design of the foundation for the new Dichlorination Building and site piping.
  3. Conduct a structural investigation to facilitate the design of the filter improvements and associated piping.

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4. Conduct an electrical system assessment in association with the addition of the air scour blowers. City to provide data on existing electrical demand and conditions.
5. Prepare 30% design plans, specifications, and associated engineering report for the filter improvements, associated backwash and filter-to-waste pipelines, and operations components for review by the City.
6. Prepare a refined construction phasing plan for the filter improvements.
7. Prepare updated opinions of total probable construction cost.
8. Schedule, prepare for, and participate in 30% design review meeting with the City to discuss items pertaining to the preliminary design of the project.
  - a. Deliverable – Five (5) paper copies and one (1) electronic copy of 30% Design Review documents, delivered to City one week prior to review meeting.

Estimated Fee: \$137,569

**III. FINAL DESIGN**

- A. Coordinate with the City of Great Falls regarding the scope of the project, prepare an estimate of engineering fees, and submit justification for engineering services amendment.
- B. Coordinate with City of Great Falls staff regarding existing conditions, design documentation format, and project constraints.
  1. Prepare 60% and 90% design plans, specifications, and associated engineering report for filter improvements, associated backwash and filter-to-waste pipelines, and operations components for review by the City.
  2. Provide internal QA/QC peer review meetings at 60% and 90% project design milestones.
  3. Prepare a phasing strategy and provide the following:
    - a. Prepare a demolition plan for the existing filtration equipment and associated piping for each construction phase.
    - b. Prepare a construction sequence plan for the new filtration equipment and associated piping for each construction phase.
    - c. Prepare a startup/implementation plan for the new filtration equipment and associated piping for each construction phase.
  4. Prepare updated opinions of total probable construction cost for each construction phase.
  5. Prepare Building Permit application and associated documentation for review and approval by the City. Application fees to be paid by Owner.
  6. Schedule, prepare for, and participate in meetings with the City to discuss items pertaining to the final design of the project.
    - a. Deliverables – Five (5) paper copies and one (1) electronic copy of 60% and 90% Design Review documents, delivered to City one week prior to review meeting.

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7. Submit documentation to the Montana Department of Environmental Quality (DEQ) for review and approval, and coordinate revisions to the documentation with the City.
  - a. Deliverable – Three (3) paper copies of 90% Design documents.
  - b. Prepare associated DEQ permit applications.
  - c. City to provide necessary application payment.

Estimated Fee: \$677,318

**IV. BIDDING/NEGOTIATION PHASES**

- A. Anticipate three (3) separate Bidding/Negotiation phases, corresponding with each associated construction phase.
- B. Assist Owner in advertising for and obtaining bids or negotiating proposals for the Work and, where applicable, maintain a record of prospective bidders to whom Bidding Documents have been issued, attend pre-Bid conference, receive and process Contractor deposits or charges for the Bidding Documents, and provide recommendation of award letter.
- C. Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
- D. Consult with Owner as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Contractor for those portions of the Work as to which such acceptability is required by the Bidding Documents.
- E. Prepare for and facilitate the Pre-Bid meeting, as well as provide meeting notes documenting any Contractor clarifications and/or questions received.
- F. Attend the Bid opening, prepare Bid tabulation based on lump sum bid schedule, and assist Owner in evaluating Bids or proposals and in assembling and awarding contracts for the Work. Prepare and submit a recommendation of award letter to the Owner.
  - a. Deliverable - Five (5) paper copies and one (1) electronic copy of Final Design Bidding documents delivered to the City.
  - b. AE2S to provide reproduction, delivery, and sale of bidding documents to Contractors, in conjunction will provide a planholder list to the Owner. AE2S to provide credit to Owner on invoice for sale of bidding documents.

Estimated Fee: \$140,828

**V. CONSTRUCTION PHASES**

- A. Anticipate three (3) separate Construction phases to complete the entirety of this project.
- B. General Administration of Construction Contract. Consult with Owner and act as Owner's representative as provided herein. The extent and limitations of the duties, responsibilities and authority of Engineer shall not be modified, except as Engineer may otherwise agree in writing. All of Owner's instructions to Contractor will be issued through Engineer, who shall have

**EXHIBIT A – SCOPE OF SERVICES  
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Submitted by: AE2S

authority to act on behalf of Owner in dealings with Contractor to the extent provided in this Agreement, except as otherwise provided in writing.

- C. Selecting Independent Testing Laboratory. Assist Owner in the selection of an independent testing laboratory to perform services, if any, required for the project that cannot be completed under the expertise of Engineer's subconsultant.
- D. Pre-Construction Conference. Administer a Pre-Construction Conference prior to commencement of Work at the Site. Engineer to require subcontractor's list from Contractor at the Pre-Construction conference.
- E. Schedules. Engineer will receive, review, and determine the acceptability of any and all schedules that Contractor is required to submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values. Engineer to submit a submittals binder to Owner before each phase of the project is completed.
- F. Baselines and Benchmarks. As appropriate, establish baselines and benchmarks for locating the Work which in Engineer's judgment are necessary to enable Contractor to complete the Work.
- G. Construction Progress Meetings. Engineer will facilitate construction progress meetings, either weekly or bi-weekly depending on construction activities, with City staff and Contractor to review construction status and current and/or possible issues.
- H. Visits to Site and Observation of Construction. In connection with observations of Contractor's Work while it is in progress:
  - 1. A Resident Project Representative (RPR) will provide full-time on-site services during equipment and/or materials installation activities completed by the Contractor. Visits to the Site at intervals appropriate to the various stages of construction, as Engineer deems necessary, to observe as an experienced and qualified design professional the progress and quality of Contractor's executed Work. Based on information, such as daily construction notes and photograph records, obtained during site visits, Engineer will determine in general if the Work is proceeding in accordance with the Contract Documents.
  - 2. Engineer shall maintain records of and keep Owner informed of the progress of the Work, to include materials quantities, equipment installation, related pay items, project schedule, and as-built construction information.
  - 3. The purpose of Engineer's visits to, and representation by the Resident Project Representative at the Site is to review Contractor's work for accuracy and completeness of installation in accordance with the Contract Documents in order to enable the Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Phase. In addition, by the exercise of Engineer's efforts as an experienced and qualified design professional, to provide for Owner a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.

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Engineer/RPR shall not supervise, direct, or have control over Contractor's Work, nor shall Engineer/RPR have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by Contractor, for security or safety on the Site, for safety precautions and programs incident to Contractor's Work, nor for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Engineer neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the Work in accordance with the Contract Documents.

- I. Defective Work. Determine that Contractor's Work be rejected while it is in progress if, on the basis of Engineer's observations, Engineer believes that such Work will not produce a completed Project that conforms generally to the Contract Documents or that it will threaten the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Coordinate such determinations with Owner. Pay requests associated with Defective Work shall not be approved until Work is corrected.
- J. Clarifications and Interpretations; Field Orders. Issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Engineer may issue Field Orders authorizing minor variations in the Work from the requirements of the Contract Documents.
- K. Change Orders and Work Change Directives. Recommend Change Orders and Work Change Directives to Owner, as appropriate, and prepare Change Orders and Work Change Directives as required.
- L. Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. Engineer shall meet any Contractor's submittal schedule that Engineer has accepted.
- M. Inspections and Tests. Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. Engineer's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Engineer shall be entitled to rely on the results of such tests.

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- N. Disagreements between Owner and Contractor. Render formal written decisions on all duly submitted issues relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution, performance, or progress of Contractor's Work; review each duly submitted Claim by Owner or Contractor, and in writing either deny such Claim in whole or in part, approve such Claim, or decline to resolve such Claim if Engineer in its discretion concludes that to do so would be inappropriate. In rendering such decisions, Engineer shall be fair and not show partiality to Owner or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.
- O. Applications for Payment. Based on Engineer's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation:
1. Determine the amounts that Engineer recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute Engineer's representation to Owner, based on such observations and review, that, to the best of Engineer's knowledge, information and belief, Contractor's Work has progressed to the point indicated, the quality of such Work is generally in accordance with the Contract Documents (subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents, and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Engineer's responsibility to observe Contractor's Work. In the case of unit price work, Engineer's recommendations of payment will include final determinations of quantities and classifications of Contractor's Work (subject to any subsequent adjustments allowed by the Contract Documents).
  2. By recommending any payment, Engineer shall not thereby be deemed to have represented that observations made by Engineer to check the quality or quantity of Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in this Agreement and the Contract Documents. Neither Engineer's review of Contractor's Work for the purposes of recommending payments nor Engineer's recommendation of any payment including final payment will impose on Engineer responsibility to supervise, direct, or control Contractor's Work in progress or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any portion of the Work in progress, materials, or equipment

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Submitted by: AE2S

has passed to Owner free and clear of any liens, claims, security interests, or encumbrances, or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.

- P. Contractor's Completion Documents. Receive, review, and transmit to Owner maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance required by the Contract Documents, certificates of inspection, tests and approvals, Shop Drawings and other data approved, and the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment.
- Q. Substantial Completion. Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with Owner and Contractor, conduct an inspection to determine if the Work is substantially complete. If after considering any objections of Owner, Engineer considers the Work substantially complete, Engineer shall deliver a certificate of Substantial Completion to Owner and Contractor.
- R. Final Notice of Acceptability of the Work. Conduct a final inspection to determine if the completed Work by Contractor is acceptable so that Engineer may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Engineer shall provide notice that the Work is acceptable to the best of Engineer's knowledge, information, and belief and based on the extent of the services provided by Engineer under this Agreement.
- S. Coordinate operational requirements of the water treatment facility with the City. Manage the construction phases and respective durations with the Owner, duration overage subject to increase in Engineer's compensation.
- T. Duration of Construction Phase. Three separate Construction Phases are anticipated as part of this project, each will commence with the execution of the first construction Contract for the Project or any part thereof and will terminate upon written recommendation by Engineer for final payment to Contractors. Engineer shall be entitled to an equitable increase in compensation if Construction Phase services are required after the original date for final completion of the Work as set forth in the construction Contract.
- U. Limitation of Responsibilities. Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractors, suppliers, or other individuals or entities performing or furnishing any of the Work. Engineer shall not be responsible for the failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.
- V. Construction Deliverables:
  - 1. Daily Construction logs and project photographs
  - 2. Shop Drawings/Submittal reviews
  - 3. Construction meeting minutes
  - 4. Certified Payroll reports provided by Contractor
  - 5. Approved Contractor's Applications for Payment
  - 6. Substantial Completion and associated completion item documentation

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WATER TREATMENT PLANT FILTRATION IMPROVEMENTS  
CITY OF GREAT FALLS, MONTANA  
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Revised: April 4, 2019

Submitted by: AE2S

7. Final Approval and Acceptance documentation

Estimated Fee: \$949,950

VI. POST-CONSTRUCTION PHASES

- A. Anticipate three (3) separate Warranty phases, corresponding with the completion of each associated construction phase.
- B. Provide assistance in connection with the adjusting of Project equipment and systems.
- C. Assist Owner in training Owner's staff to operate and maintain Project equipment and systems.
- D. Together with Owner, visit the Project to observe any apparent defects in the Work, assist Owner in consultations and discussions with Contractor concerning correction of any such defects, and make recommendations as to replacement or correction of Defective Work prior to final completion of construction.
- E. In company with Owner or Owner's representative, provide two (2) Warranty inspections for each of the respective construction warranty phases of the Project to ascertain whether any portion of the Work is subject to correction.
  - 1. One (1) year after Final Completion.
  - 2. Within one (1) month before the end of the Correction (Warranty) Period.
- F. Provide Operations and Maintenance information for the project as received from the Contractor.
  - a. Deliverable - Three (3) paper copies and one (1) electronic copy of Operation and Maintenance manuals delivered to the City.
- G. Provide Record Drawings showing changes made during the construction process, based on the annotated record documents for each construction phase of the Project and furnished by Contractor and which Engineer considers significant.
  - a. Deliverable - One (1) 24"x36" mylar copy and one (1) electronic copy of As-Built Record Drawings delivered to the City. Provide electronic copy of CAD design and record drawings for each phase of the project.
- H. Complete a site visit and inspection of the WTP prior to the expiration of the Correction (Warranty) Period to determine if the completed Work is acceptable according to the Construction Documents. The site visit shall be conducted in accordance with ENGINEER's standard protocol. The inspection shall generally consist of filter equipment and associated piping/valves performance and conditions, an assessment of structural components, and preparation of an End of Correction Period Report. The Report shall summarize all observations and on-site activities and findings and shall include recommendations for corrective action of observed defects as to replacement or correction of Defective Work, as necessary.

Estimated Fee: \$96,880



**EXHIBIT A – SCOPE OF SERVICES  
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**VII. INSTRUMENTATION AND CONTROLS (I&C) SERVICES**

- A. Assist Owner with identifying and planning the modification of control system equipment from existing filtration system and replacement and/or installation of the new filtration equipment and associated valves.
- B. Provide construction observation for control system equipment to verify proper installation by the Contractor.
- C. Provide assistance in connection with the adjusting of Project equipment and systems.
- D. Provide PLC I/O card installation and setup to provide information for control system monitoring and operation.
- E. Provide control system programming to allow monitoring and operation of the new filtration equipment.
- F. Assist Owner with calibration and troubleshooting of filtration system equipment and operations post-installation.

Estimated Fee: \$149,271

**VIII. MISCELLANEOUS SERVICES**

- A. Prepare for and participate in miscellaneous meetings to review and discuss design and construction questions or issues with the City.
- B. Assist Owner with miscellaneous construction and/or operation items throughout the separate construction phases of the project.

Estimated Fee: \$60,000

**Fee Summary\*:**

I.	Kickoff Meeting and Clarification Optimization:	\$ 56,192
II.	Preliminary Engineering Design Phase:	\$137,569
III.	Final Design Phase	\$677,318
IV.	Bidding/Negotiation Phase:	\$140,828
V.	Construction Phase:	\$949,950
VI.	Post-Construction Phase:	\$ 96,880
VII.	Instrumentation & Controls (I&C) Services:	\$149,271
VIII.	Miscellaneous Services:	<u>\$ 60,000</u>

Total Estimated Fee: \$2,268,008

**EXHIBIT B – STANDARD HOURLY RATES AND REIMBURABLE EXPENSES  
WATER TREATMENT PLANT FILTRATION IMPROVEMENTS  
CITY OF GREAT FALLS, MONTANA  
O.F. 1637.1**

Revised: April 4, 2019

Submitted by: AE2S

**ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, INC.  
2019 HOURLY FEE AND EXPENSE SCHEDULE**

<u>Labor Rates*</u>		I&C Assistant	\$82.00
Administrative I	\$59.00	I&C Technician I	\$100.00
Administrative II	\$73.00	I&C Technician II	\$112.00
Administrative III	\$87.00	I&C Technician III	\$128.00
		I&C Technician IV	\$140.00
Communications Specialist I	\$90.00	I&C Technician V	\$153.00
Communications Specialist II	\$103.00	I&C Specialist	\$166.00
Communications Specialist III	\$118.00	I&C Senior Specialist	\$175.00
Communications Specialist IV	\$142.00	I&C Manager	\$184.00
Communications Specialist V	\$157.00		
		IT I	\$100.00
Construction Services Rep I	\$83.00	IT II	\$123.00
Construction Services Manager I	\$136.00	IT III	\$139.00
Construction Services Manager II	\$147.00	IT IV	\$157.00
Construction Services Manager III	\$166.00	IT V	\$173.00
Construction Services Manager IV	\$183.00	IT VI	\$183.00
Construction Services Manager V	\$201.00	IT Manager	\$203.00
Engineering Assistant 1	\$69.00	Land Surveyor Assistant	\$82.00
Engineering Assistant 2	\$88.00	Land Surveyor I	\$98.00
Engineer I	\$103.00	Land Surveyor II	\$118.00
Engineer II	\$132.00	Land Surveyor III	\$132.00
Engineer III	\$157.00	Land Surveyor IV	\$146.00
Engineer IV	\$178.00		
Engineer V	\$194.00	Marketing Consultant I	\$83.00
Engineer VI	\$218.00	Marketing Consultant II	\$105.00
Engineer VII	\$233.00	Marketing Consultant III	\$129.00
Engineer VIII	\$243.00	Marketing Consultant IV	\$147.00
		Marketing Consultant V	\$166.00
Engineering Technician I	\$68.00	Operations Specialist I	\$83.00
Engineering Technician II	\$87.00	Operations Specialist II	\$100.00
Engineering Technician III	\$103.00	Operations Specialist III	\$126.00
Engineering Technician IV	\$120.00	Operations Specialist IV	\$142.00
Engineering Technician V	\$136.00	Operations Specialist V	\$165.00
Engineering Technician VI	\$150.00		
Engineering Technician VII	\$166.00		
Financial Analyst I	\$90.00	Program Coordinator I	\$178.00
Financial Analyst II	\$105.00	Program Coordinator II	\$190.00
Financial Analyst III	\$123.00	Program Coordinator III	\$202.00
Financial Analyst IV	\$139.00		
Financial Analyst V	\$157.00	Project Coordinator I	\$98.00
Financial Analyst VI	\$178.00	Project Coordinator II	\$106.00
Financial Analyst VII	\$194.00	Project Coordinator III	\$119.00
Financial Analyst VIII	\$212.00	Project Coordinator IV	\$135.00
GIS Specialist I	\$88.00	Project Manager I	\$168.00
GIS Specialist II	\$105.00	Project Manager II	\$183.00
GIS Specialist III	\$126.00	Project Manager III	\$202.00
GIS Specialist IV	\$141.00		
GIS Specialist V	\$155.00	Senior Designer	\$190.00
		Senior Consultant I	\$212.00
		Senior Consultant II	\$230.00
		Senior Consultant III	\$248.00
		Technical Expert I	\$250.00
		Technical Expert II	\$272.00
		Technical Expert III	Negotiable

**EXHIBIT B – STANDARD HOURLY RATES AND REIMBURABLE EXPENSES  
WATER TREATMENT PLANT FILTRATION IMPROVEMENTS  
CITY OF GREAT FALLS, MONTANA  
O.F. 1637.1**

Revised: April 4, 2019

Submitted by: AE2S

**Reimbursable Expense Rates**

Transportation	\$0.65/mile
Survey Vehicle	\$0.70/mile
B&W Photocopies 8½" x11"	\$0.10/copy
B&W Laser Printouts 8½" x11"	\$0.20/page
Color Laser Printouts/Copies 8½" x11"	\$0.68/page
Plots – Color Bond	\$1.25/s.f.
Plots – Monochrome Bond/Vellum	\$0.75/s.f.
Plots – Film/Photo High Gloss	\$2.00/s.f.
UAS - Photo/Video Grade	\$100.00/day
Video Equipment	\$100.00/each
Total Station – Robotic	\$35.00/hour
Geo 7 PR GPS	\$25.00/hour
Fast Static/RTK GPS	\$50.00/hour
R1 GNSS GPS	\$30.00/day
Sonar Mite	\$50.00/day
All-Terrain Vehicle/Boat	\$100.00/day
Air Transportation - Pilatus	\$1,600.00/hour
Air Transportation – Cirrus	\$700.00/hour
In-house Lodging	\$150.00/day
Legal Services Reimbursement	\$224.00/hour
Outside Services**	cost *1.15
Geotechnical Services	cost *1.30
Out of Pocket Expenses***	cost*1.15
Rental Car	cost*1.20

\* Position titles are for labor rate grade purposes only.

\*\* Includes laboratory testing, architectural and engineering consultants, surveying, etc.

\*\*\* Includes toll telephone, shipping, postage, subsistence, technical literature, equipment rental, etc.

*These rates are subject to adjustment each year on January 1.*



**Item:** Consideration of Applicant Talcott Holdings, Inc. Request for Withdrawal of Application for Annexation and Establishment of Zoning, re: Resolution 10280 to annex a portion of a tract of land equaling +/- 6.254 acres legally described as Mark 7K, in Section 4, T20N, R4E P.M.M., Cascade County, Montana, and Ordinance 3195 to establish I-2 Heavy Industrial zoning.

**From:** Erin Borland, Planner III, Planning and Community Development

**Initiated By:** Talcott Holdings Inc.

**Presented By:** Craig Raymond, Director, Planning and Community Development

**Action Requested:** Approve Applicant Talcott Holdings, Inc. Request for Withdrawal of the Application for Annexation and Establishment of Zoning; and Deny adoption of Resolution 10280 and Ordinance 3195.

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (approve/deny) the Applicant Talcott Holdings, Inc. request for withdrawal of the application for annexation and establishment of zoning, and therefore deny Resolution 10280 and Ordinance 3195."

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Summary:** The applicant, Talcott Holdings Inc., had requested annexation and establishment of zoning for a 6.254 acre parcel in the County. The City Commission accepted Ordinance 3195 on first reading on December 18, 2018. After several postponements, the applicant has decided to withdraw the application for annexation and establishment of zoning. Due to the withdrawal of the application, the notice for public hearing for April 16, 2019, was not published in the *Great Falls Tribune* and neighborhood notices were not sent out. Staff recommends that the City Commission approve the applicant's withdrawal request, effectively denying Resolution 10280 and Ordinance 3195.

**Attachments:**

- Letter of Withdrawal of Application

G. ANDREW ADAMEK  
CHAD E. ADAMS  
DANIEL J. AUERBACH  
KIMBERLY A. BEATTY  
TROY L. BENTSON  
SARA S. BERG  
LEO BERRY  
LAURA K. BUCHHOLTZ  
CARLO J. CANTY  
ABBIE N. CZIOK  
MARK D. ETCHART  
STEVE J. FITZPATRICK  
OLIVER H. GOE  
J. DANIEL HOVEN



**BROWNING KALECZYC  
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W. JOHN TIETZ  
STEVEN T. WADE  
LAURA E. WALKER  
LEO S. WARD  
MORGAN M. WEBER  
R. STEPHEN BROWNING (1940-2018)  
STANLEY T. KALECZYC, OF COUNSEL

March 31, 2019

Sara R. Sexe  
City Attorney  
2 Park Drive South  
P.O. Box 5021  
Great Falls, Montana 59403

RE: *Talcott Holdings*

Dear Sara:

I am writing to inform you my client Talcott Holdings, LLC wishes to withdraw its application for annexation currently pending before the City Commission. Please let me know if you have any questions.

Sincerely,

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

Steve

By \_\_\_\_\_  
Steve J. Fitzpatrick

cc: Aaron Perry



**Item:** Resolution 10288 – A Resolution Approving a Request to Expend Great Falls Downtown Urban Renewal Tax Increment Financing District Funds

**From:** Tom Micuda, Deputy Director, Planning and Community Development

**Initiated By:** The City of Great Falls – Downtown Parking Program

**Presented By:** Craig Raymond, Director, Planning and Community Development

**Action Requested:** Approve Resolution 10288 approving the expenditure of \$470,000 of Great Falls Downtown Urban Renewal Tax Increment Financing District funds to assist with improvements needed for the City’s North and South Parking Garage facilities.

---

**Public Hearing:**

1. Mayor conducts the public hearing, calling three times each for proponents and opponents.
2. Mayor closes the public hearing and asks the will of the Commission.

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10288, approving the Development Project and the expenditure of \$470,000 in Great Falls Downtown Urban Renewal Tax Increment Financing District funds to assist with improvements to the City’s North and South Parking Garages.”

2. Mayor calls for a second to the motion, Commission discussion, and calls for the vote.
- 

**Staff Recommendation:** Staff recommends approval of the proposed TIF funding request. Additionally, the City’s request was discussed at a Downtown Development Partnership (DDP) meeting on January 23. The DDP voted unanimously to support the TIF funding request.

**Background:** The Downtown Urban Renewal and Tax Increment Financing (TIF) District generally encompasses Great Falls’ central business district and periphery properties. This TIF District was approved by the City Commission on May 15, 2012. The purpose of creating the Downtown TIF was to stimulate revitalization and redevelopment of the central business district, which had suffered from lack of investment due to reduced residential population and loss of key retail anchor employers. Since creation of the TIF District seven years ago, the Downtown TIF has accumulated tax increment of over \$500,000. Furthermore, funding from the TIF was instrumental in the construction of downtown streetscape improvements in 2016.

On January 23, 2019, the City Planning and Community Development Department presented a proposal to the Downtown Development Partnership seeking their support for the use of Downtown TIF funds to augment City Parking Fund Reserves to address the condition of the City's two public parking garages. These two garages are: 1) the North Garage, located at 17 4<sup>th</sup> St. N, and the South Garage, located at 315 1<sup>st</sup> Ave. S. Additionally, the City Commission received a report on the financial state of the Downtown Parking Program, which included an inventory of capital project needs and deferred maintenance items for both garages, at a December 4, 2018 Work Session.

## **Analysis:**

### ***TIF Application***

The City has submitted an application requesting \$470,000 of TIF funds to address the following improvements in the north and south Garages:

- 1) LED Lighting Retrofit – Existing lighting throughout the both garages are 100W high pressure sodium. Because controls are manual, the lighting is often on 24 hours per day. Replacing this lighting with new, efficient LED lighting will save more than \$17,000 annually in utility costs alone. These new lights will automatically dim their output based on sky brightness and garage occupancy. The TIF funding request for this item is \$265,000.
- 2) Parking and Revenue Control Systems – The entrance gate and revenue control system in the south parking garage has been broken for the last few years. Replacement parts are not even available due to the age of the system. Staff and the Parking Advisory Commission (PAC) recommend that new parking and revenue control system technology be installed in both the south and north parking garages. The TIF funding request for these systems is \$92,000.
- 3) Repairs and Maintenance – Because both garages are open facilities exposed to the elements, routine scheduled maintenance is required to monitor structural integrity and evaluate weather proofing performance. This means systems such as concrete sealants, control and expansion joint sealants, and horizontal to vertical joint systems must be inspected and replaced. While some work was completed in the north garage in 2014, both garages are showing signs of failure. This results in such impacts as general water intrusion (both garages), rusting of doors and door frames (north garage), and specific water intrusion damage of stair towers, a staff office area, and window art boxes in the south garage. The TIF funding request to catch up on deferred repairs and maintenance is \$93,000. It should be noted that that TIF request is only 22% of the cost of this item. The remaining funds to cover this item will come from Parking Reserve Funds.
- 4) Architectural and Engineering – An additional \$20,000 is being sought to cover final A&E design, construction supervision, permits, and other fees associated with the work described above.

In addition to the \$470,000 of TIF funds being requested, funds in the amount of \$391,000 will be spent from Parking Reserve Funds to cover additional repair and maintenance items (\$324,000) as well as the installation of surveillance systems in both garages (\$67,000). The total cost of the project is estimated to be \$861,000. If this request is approved, staff will finalize contracts for lighting and surveillance camera installation during May/June 2019. Professional service contracts for repair/maintenance projects would also occur in June 2019 with construction to occur in the fall/winter season.

## **Review Criteria:**

### ***Preliminary Findings***

After thorough review and evaluation of the Project and infrastructure improvements, City staff has determined:

- No persons will be displaced from their housing by the Project or the infrastructure improvements.
- The Project and the infrastructure improvements substantially satisfy the review criteria of the funding application process and meet the purpose and goals of the State Law, the District and Plan.
- The infrastructure improvements conform to the comprehensive plan (or parts thereof) for the City as a whole.
- The infrastructure improvements constitute public improvements in accordance with the Act.
- A sound and adequate financial program exists for the financing of the infrastructure improvements.

### ***Montana Code Annotated (MCA) TIF Regulations***

The creation and administration of TIF Districts are governed by State Law. According to Montana Code Annotated (7-15-4288), tax increment can only be used for the following purposes: The tax increments may be used by the local government to pay for the following costs of or incurred in connection with an urban renewal area or targeted economic development district as identified in the urban renewal plan or targeted economic development district comprehensive plan:

1. land acquisition;
2. demolition and removal of structures;
3. relocation of occupants;
4. the acquisition, construction, and improvement of public improvements or infrastructure, including streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunications lines, rail lines, rail spurs, bridges, publicly owned buildings, and any public improvements authorized by Title 7, chapter 12, parts 41 through 45; Title 7, chapter 13, parts 42 and 43; and Title 7, chapter 14, part 47, and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;
5. costs incurred in connection with the redevelopment activities allowed under 7-15-4233;
6. acquisition of infrastructure-deficient areas or portions of areas;
7. administrative costs associated with the management of the urban renewal area or targeted economic development district;
8. assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the local government itself at its fair value;
9. the compilation and analysis of pertinent information required to adequately determine the needs of the urban renewal area or targeted economic development district;
10. the connection of the urban renewal area or targeted economic development district to existing infrastructure outside the area or district;
11. the provision of direct assistance to secondary value-adding industries to assist in meeting their infrastructure and land needs within the area or district; and
12. the acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.



## *City of Great Falls TIF Review Criteria*

In order for the City Commission to approve any TIF funding request, the request must meet the criteria recommended in the Urban Renewal Plan, as well as be eligible for TIF participation in accordance with MCA guidelines noted in this report. To aid in this determination, the City of Great Falls' Tax Increment Application Process established twelve specific criteria to assess the merits of projects against the Plan. Those criteria are:

- 1) Public Infrastructure Improvements – Public infrastructure improvements have the benefit of improving and impacting an entire district. Each district may have its own Capital Improvement Plan, which may include things such as roadway improvements, storm drains, sewer and waterlines, railroads, etc.

**Staff Analysis** – Staff finds that the proposed improvements to the north and south parking garages will serve and have an area-wide benefit for the Downtown TIF District. The integrity of the City's parking garages must be viewed with the same sense of importance as more conventional infrastructure such as downtown streets, sidewalks, water and sewer lines, and storm drain facilities. Deferred maintenance items such as replacing parking and revenue control systems and, more particularly, replacing sealants, joint systems, and addressing/repairing water intrusion problems with both garage buildings must be promptly addressed to maximize the buildings' useful life.

- 2) Economic Stimulus – The amount of economic activity to be generated within a district through the development is assessed, as well as the leverage ratio of public to private investment. In general, the maximum limit of any one development is 10% of the construction/rehabilitation costs, exclusive of acquisition costs. Projects demonstrating extraordinary benefit to Districts or the community may, at the discretion of City Commission, receive additional TIF assistance for eligible items. All applications should contain credible, measurable information substantiating the project's economic stimulus in the District and the community.

**Staff Analysis** – The north garage has a parking capacity of 498 vehicles, while the south parking garage has a capacity of 311 vehicles. Because these garage facilities can accommodate the parking needs for over 800 vehicles, having two functional garages in the heart of downtown has an enormous economic multiplier effect because it frees up significant property for the private sector to develop with minimal to no off-street parking. The property taxes and business development generated by such private sector development using public sector parking create enormous financial benefit for the Downtown TIF and the community as a whole. With this in mind, it is critical for parking usage in the garages not to decrease due to deferred maintenance and customer safety concerns that are addressed by this funding request.

- 3) Tax Generation – The increase in taxable value due to the new district development, including construction/rehabilitation, as estimated by the County Assessor's office to determine tax increment generation.

**Staff Analysis** – Because the City owns both properties containing the garages, both properties have a tax exempt status. As a result, property tax generation activity for the Downtown TIF will come from improvements being made to private property. As noted above, the presence of safe, effective, and well-

maintained garage facilities clearly has a spinoff benefit for enhanced private sector investment in downtown properties.

- 4) Employment Generation – Total employment generated by the district development is assessed in terms of permanent and part-time jobs, and construction jobs.

**Staff Analysis** – Currently, the existing FTE jobs related to the Downtown Parking Program is composed of 0.50 FTE from the City and 5.6 FTE from the City’s retained parking management firm – SP+. The project is not anticipated to create full-time jobs, with the exception of short-term construction jobs related to the proposed facility improvements. However, as noted above, the spin-off economic benefit of two public parking facilities in the downtown will continue to lead to downtown property redevelopment activity. Such activity results in business development and job growth.

- 5) Elimination of Blight – The development’s direct and indirect impact on the physical and fiscal deterioration within the appropriate district and the community, as identified in the appropriate district plan.

**Staff Analysis** – In association with the creation of the Downtown TIF in 2012, a determination was made that conditions of blight were present within the geographic area. This is why the Downtown TIF is also considered an Urban Renewal District. The proposed TIF request does impact blight because it should: 1) reduce general criminal activity within the garages, 2) reduce negative impacts such as vandalism, drug use, and damage to both vehicles and the facilities themselves, 3) make customers feel safer in response to less negative behavior from transients, and make employees feel more comfortable and safer in the facilities.

- 6) Special or Unique Opportunities – The extent to which the district’s development represents a unique opportunity, meets a special need, or addresses specific district or community goals. The restoration of a historic property or the provisions of an unmet community need is an example of special and unique opportunities.

**Staff Analysis** – The funding of the proposed garage improvements is a unique opportunity. Because of a reduced number of funding requests since the Downtown Streetscape project, the balance of the Downtown TIF has been able to accumulate to a level where a larger infrastructure project can be assisted. Additionally, staff has worked with the PAC over the last two years to comprehensively evaluate the programs revenues, operating costs, and deferred capital maintenance. The proposed TIF funding request is being brought forward at the same time as proposed rate and fine changes to comprehensively address shortfalls in both parking operations and deferred maintenance.

- 7) Impact Assessment – The extent of both positive and negative environmental impacts, appropriateness of the developer’s project design, and impact on existing businesses or residents.

**Staff Analysis** – The project will have a positive impact on existing businesses and residents because the City has received concerns about issues like inadequate lighting, criminal behavior, uncomfortable situations with transients, and inadequate facility maintenance. The project does have a significant environmental benefit in the area of annual energy savings.

- 8) Financial Assistance – Other forms of financing available to the Applicant. Lender participation, industrial development revenue bonds, and state and federal grant monies, for example, are examined to assess the need for TIF assistance.

**Staff Analysis** – As noted earlier in the report, the total project cost for all improvements is estimated to be \$861,000. As a whole, 58 percent of the facility improvements are proposed to be funded from TIF, while 42 percent will be funded from reserves.

- 9) Development's Feasibility – A determination of feasibility is made based on the strength of the Applicant's demonstration of market demand for the development in the district as contained primarily on the pro forma and financing commitments.

**Staff Analysis** – A detailed energy analysis of both garages was performed by McKinstry Essention LLC. Retrofit plans and construction contracts were produced by McKinstry and were approved by the City Commission in February 2019. Structural maintenance projects will be designed by licensed architects and/or engineers during summer 2019. The ultimate project scope of work will be adjusted as necessary to fit project budgets.

- 10) Developer Ability to Perform - An assessment of the Applicant's capability to undertake the relative complexities of the development based on past performance on similar projects.

**Staff Analysis** – The City of Great Falls has extensive experience in completing infrastructure projects, including those utilizing TIF District funds. McKinstry has a proven track record in its working relationship with the City of Great Falls.

- 11) Timely Completion – The feasibility of completing the development according to the Applicant's development schedule.

**Staff Analysis** – Even though the request is a significant use of Downtown TIF funds, the project has been well analyzed and has simple individual components. The proposed construction schedule is less than one year and should be straightforward to execute.

- 12) Payment of Taxes – All property taxes, special improvement district assessments and other assessments on the project property must be paid to date.

**Staff Analysis** – The garage properties are tax exempt, making this criterion not applicable.

**Fiscal Impact:** As noted earlier in the report, the project is proposed to be a mixture of funding sources in order to minimize impacts on either Parking Reserve Funds or Downtown TIF funds. With that stated, both funding sources will have significant burdens to pay for the parking garage improvements. It will take some payment cycles for the Downtown TIF to recapture its current balance of over \$500,000. Staff notes that the improvements identified in the Walker Parking Consultants study are largely deferred. This means that the failure to act in 2019 only makes the improvements more costly and more burdensome on revenue sources.

**Alternatives:** The Commission could deny Resolution 10288. If such action is taken, the City has not identified an alternative funding source for 58 percent of estimated garage facility improvements. As a result, the City would have to scale back the garage facility improvements significantly and potentially be confronted with additional, more significant deferred maintenance improvements in future years.

**Concurrences:** The City's request for TIF funding is additionally supported by the Downtown Development Partnership and the Parking Advisory Commission.

**Attachments/Exhibits:**

Resolution 10288

Resolution Exhibit A – Downtown Urban Renewal District Plan

City’s TIF Application

Walker Parking Consultants Study

RESOLUTION 10288

A RESOLUTION TO APPROVE FACILITY MAINTENANCE AND IMPROVEMENTS TO THE CITY'S NORTH AND SOUTH PARKING GARAGES IN THE GREAT FALLS DOWNTOWN TAX INCREMENT FINANCING DISTRICT

\* \* \* \* \*

WHEREAS, the City of Great Falls Downtown Parking Program has struggled to maintain essential facilities through normal revenue sources; and,

WHEREAS, the City's Parking Advisory Commission has established key improvements and maintenance priorities as well as identified current funding strategies for top priority needs; and,

WHEREAS, both of the City's parking garages have been analyzed, and results of this analysis have determined that both garages are in need of improvements such as LED lighting, surveillance systems, parking and revenue controls, and deferred maintenance; and

WHEREAS, the aggregate cost of these improvements, estimated to be \$861,000, cannot be entirely funded through Parking Fund Reserves; and

WHEREAS, the quality and safety of the City's parking garages are a key element of downtown vitality, attracting new businesses and investment for the City's Downtown Urban Renewal District (Downtown TIF).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA.

Section 1. Approval. The City Commission hereby approves the expenditure of the requested Tax Increment Financing District funds as requested by the City of Great Falls in the amount of \$470,000.

Section 2. Findings. Based on representations made to the City Commission to date and taking into consideration all comments received, including those made at a properly noticed public hearing duly held on April 16, 2019, the City Commission does hereby make the following findings, determinations, and declarations regarding the Great Falls Downtown Urban Renewal Tax Increment Financing District, which is hereinafter referred to as the District:

- (a) no persons will be displaced from their housing by the Project or the Infrastructure Improvements;

- (b) the Project and the Infrastructure Improvements substantially satisfy the review criteria of the funding application process and meet the purpose and goals of the Act, the District and Plan;
- (c) the Plan, to include the Project and the Infrastructure Improvements, conforms to the comprehensive plan or parts thereof for the City as a whole;
- (d) the Infrastructure Improvements constitute public improvements in accordance with the Act;
- (e) the Plan, to include the Project and the Infrastructure Improvements, will afford maximum opportunity, consistent with the sound needs of the City, as a whole, for the rehabilitation or redevelopment of the District by private enterprise; and
- (f) a sound and adequate financial program exists for the financing of the Infrastructure Improvements, as more particularly in Section 3 hereof.

Section 3. District Plan. A plan describing existing infrastructure, existing infrastructure deficiencies, and development activities to be undertaken within the District is attached as “Exhibit A.”

Section 4. Effective Date. This Resolution shall be in full force and effect upon passage and adoption by the City Commission.

Section 5. Conflict with Other Ordinances and Resolutions. All parts of ordinances and resolutions in conflict herewith are hereby repealed.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 16<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Resolution 10288 in two conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Great Falls City website

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

# CITY OF GREAT FALLS

## Downtown Urban Renewal Plan



May 2012



# Downtown Urban Renewal District Plan

## **Introduction:**

The City of Great Falls has embarked on an ambitious program to revitalize downtown Great Falls. In October 2011 the Great Falls City Commission unanimously adopted the Downtown Master Plan (DMP) as an attachment to the 2005 City of Great Falls Growth Policy. As an attachment to the Growth Policy, the DMP now serves as the guiding policy document for downtown. The DMP provides a strategically focused, goal driven “blueprint” for the future growth and development of downtown. The DMP creates a vision and outlines strategies, actions, partnerships and timeframes that will facilitate the redevelopment of a regional destination.

The 82 strategies within the DMP are each designed to capitalize on downtown’s assets and proactively address downtown’s issues. The strategies all seek to create a downtown that has a balance of amenities, housing and transportation options, goods and services and cultural, entertainment and educational opportunities.

The DMP recommends the creation of an Urban Renewal District that utilizes Tax Increment Financing (TIF) to fund public improvements recommended in the DMP in an effort to revitalize Downtown Great Falls. The proposed Downtown Urban Renewal District (DURP) will be the third urban renewal district established in the City of Great Falls. The Central Place Revitalization Urban Renewal Program, established in 1977, has since expired while the West Bank Urban Renewal District, established in 2006 is currently operational.

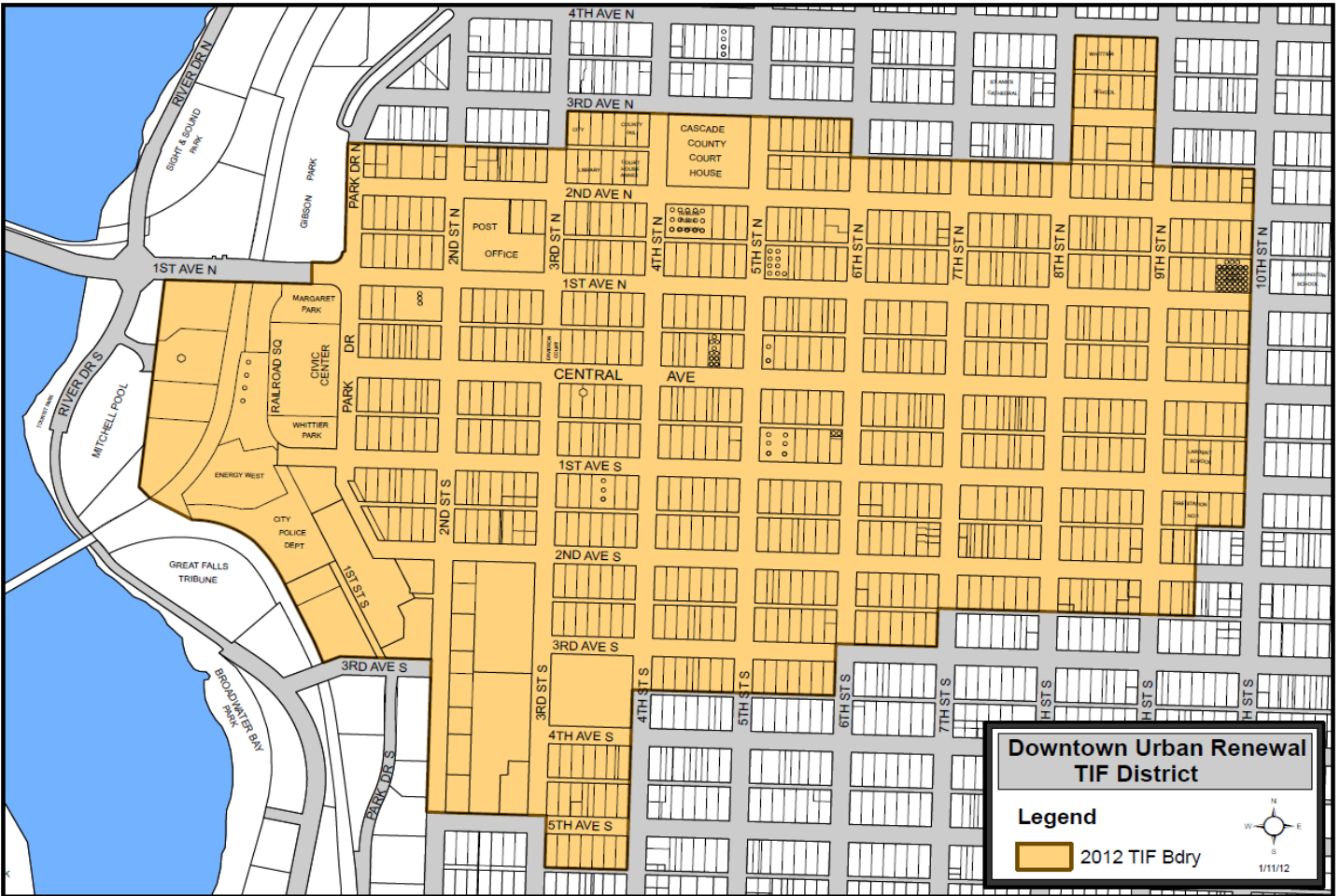
The Downtown Urban Renewal District and TIF funds generated through the improvements to property in the district are anticipated to be the primary funding sources to implement the recommendations of the DMP. Previous urban renewal districts in the City have been successful in redevelopment and revitalization efforts. It is the hope of the City of Great Falls and the Downtown stakeholders that this urban renewal district will yield the same positive results.

### Legal Description of the District:

Beginning at a point that is the southeast corner of Lot 1, Block 11, of the Broadwater Bay Business Park; thence south across 3rd Ave So to the northeast corner of Lot 6, Block 9, of the Broadwater Bay Business Park; thence south along the west right of way line of 2nd St So to a point that is directly west of the southwest corner of Lot 8, of the Amended Plat of Block 453, of the Great Falls Original Townsite (GFOT); Thence east across 2nd St So to the southwest corner of Lot 8, of the Amended Plat of Block 453, of the GFOT; thence east to the southwest corner of Lot 14, Block 452, of the GFOT; thence south to the southwest corner of Lot 1, Block 455, of the GFOT; thence east to the southeast corner of Lot 7, Block 455; of the GFOT; thence north along the west right of line of 4th St S to a point directly west from the southwest corner of Lot 1, Block 420, of the GFOT; thence east across 4th St So to the southwest corner of Lot 1, Block 420, of the GFOT; thence east to the southeast corner of Lot 7, Block 421, of the GFOT; thence north to the southeast corner of Lot 8, Block 413, of the GFOT; thence east across 6th St So to the southwest corner of Lot 14, Block 412, of the GFOT; thence east to the southeast corner of Lot 8, Block 412, of the GFOT; thence north to the southeast corner of Lot 7, Block 412, of the GFOT; thence east to the southwest corner of Lot 1, Block 411, of the GFOT; thence east to the southeast corner of Lot 3, Block 409, of the GFOT; thence north to the southeast corner of Lot 3, Block 376, of the GFOT; thence east to the southeast corner of Lot 7, Block 376, of the GFOT; thence north along the west right of way line of 10th St N to the northeast corner of Lot 8, Block 258, of the GFOT; thence west to the northeast corner of Lot 8, Block 257, of the GFOT; thence north to the northeast corner of Lot 7, Block 242, of the GFOT; thence west to the northwest corner of Lot 1, Blk 242, of the GFOT; thence south to the northwest corner of Lot 14, Blk 257, of the GFOT; thence west to the northeast corner of Lot 8, Blk 254, of the GFOT; thence north to the northeast corner of Lot 7, Blk 254, of the GFOT: thence west to the northwest corner of Lot 1, Blk 252, of the GFOT; thence south to the northwest corner of Lot 14, Blk 252, of the GFOT; thence west to the northwest corner of Lot 13, Blk 250, of the GFOT; thence continuing west to a point that is located on the west right of way of Park Dr N; thence south along the west right of way of Park Dr N to the corner of Park Dr N and 1st Ave N; thence around a curve to the left to a point of tangent thence continuing west eighty feet along the north right of way of 1st Ave N; thence south on a perpendicular line to the south right of way line of 1st Ave N; thence west along the south right of way line of 1st Ave N to the northwest corner of Lot 5, Blk 13, of the Broadwater Bay Business Park Addition (BBBP); thence southwesterly to the southwest corner of Lot 2, Blk 13, of the BBBP; thence southeasterly to the southeast corner of Lot 2, Blk 13, of the BBBP; thence continuing southeasterly to a point that is the intersection of the north railroad right of way line and the westerly boundary of Mark 22A (City of Great Falls Police Department); thence southeasterly along a curve to the right also being the north railroad right of way line to the southwest corner of Lot 1, Blk 12, of the BBBP; thence easterly along the north right of way line of 3rd Ave S to the point of beginning.

# Downtown Urban Renewal District Plan

## District Boundary



## Determination of Blight:

To establish an Urban Renewal District in Montana, it must be found that conditions of blight are present in the area. Section 7-15-4206 (2) MCA defines blight as “an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, that substantially impairs or arrests the sound growth of the city or its environs, that retards the provision of housing accommodations, or that constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- the substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of buildings or improvements, whether residential or nonresidential;
- inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- inappropriate or mixed uses of land or buildings;
- high density of population and overcrowding;
- defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- excessive land coverage;
- unsanitary or unsafe conditions;
- deterioration of site;
- diversity of ownership;
- tax or special assessment delinquency exceeding the fair value of the land;
- defective or unusual conditions of title;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes; or
- any combination of the factors listed in this subsection (2).



# Downtown Urban Renewal District Plan

With the adoption of Ordinance XXXX, the Great Falls City Commission found that the following conditions of blight are present in the District:

**The substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of buildings or improvements, whether residential or nonresidential.**

Vacancy, underutilization and a lack of maintenance has led to the substantial physical dilapidation and deterioration of a number of buildings within the district. Not only does this affect the aesthetic character of these buildings, and the district it also produces conditions that are unsafe, unsanitary and not conducive to economic development.

**Inappropriate or mixed uses of land or buildings.**

A large amount of land within the District is currently used as surface parking for automobiles. While a certain amount of parking is necessary to support other uses within the District, surface parking lots are an inefficient use of land in the City's commercial core. This land could potentially be redeveloped as commercial, office, residential or mixed use activities that would improve the vitality of the downtown and increase the taxable value of the District.

The heavy industrial nature of the southwest area of the District is incompatible with the adjacent commercial and retail and residential uses of the area. This area has the potential to be redeveloped in a mixed-use or transitional fashion to provide a key entry corridor into the District.

**Defective or inadequate street layout.**

Three one-way couplets currently traverse through the district. Although a complete, formal analysis of the impact of the one-way couplets is planned for the spring and summer of 2012, multiple studies and analysis conducted across the U.S. indicate that downtown access and circulation, customer parking and property values increase when downtown one-ways are restored to two-way streets.

A primary intersection within the district - Park Drive and 1st Avenue N - is unsafe and difficult to navigate for pedestrians. Additionally, the configuration of the intersection produces inefficient conditions for automobiles, especially those making turns at high volume portions of the day.

**Deterioration of site.**

Vacant, underutilized or unmaintained buildings and parcels concentrated within



specific areas of the district have created pockets of site deterioration throughout the district. The deterioration of sites has often led private investment and development to move to outlying areas of the City and has also slowed redevelopment and infill efforts downtown. If site deterioration is not addressed, the exodus of commercial and residential development will continue and ultimately lead to further deterioration.

**The existence of conditions that endanger life or property by fire or other causes.**

A number of buildings in the district are in conditions that could potentially endanger life of property. Multiple factors have contributed to these conditions including fire damage, the use of hazardous construction materials, negligence on behalf of a property owner and extended vacancy among others. Buildings that have reached this condition are often the target of graffiti and other forms of vandalism, leading to further deterioration in the district.

## Urban Renewal Plan

The DMP will guide the urban renewal and revitalization efforts within the district. The overall vision of the DMP and the goals, objectives and strategies of the Plan provide a comprehensive framework for the redevelopment of the downtown core. The following table displays the 82 strategies of the DMP with associated timelines, categories and partner organizations.



# Downtown Urban Renewal District Plan

Strategy	Partners	Timeframe	Category
<b>1. CONNECTED:</b>			
<b>1. Improve pedestrian connectivity and safety Downtown.</b>			
a. Ensure streetscape improvements are designed to enhance pedestrian safety and pleasure by providing sufficient space for pedestrian needs and uses.	CofGF (P&CD, PW)	Short	Regulatory Framework
b. Develop public/private partnerships to ensure Downtown is safe, clean and accessible for all users.	CofGF, DAA (Safety team)	Immediate	Program
c. Identify, prioritize and correct accessibility barriers to sidewalks, curbs, pedestrian signals and other pedestrian facilities.	CofGF (P&CD, PW) Accessibility group	Short	Program
<b>2. Develop a comprehensive Downtown bicycle network to connect into a city-wide system.</b>			
a. Prepare a complete streets policy to guide roadway construction and rehabilitation.	CofGF, GFGF, GFBC	Immediate	Regulatory Framework
b. Update the bikeway chapter of the Long Range Transportation Plan, including prioritization of improvements and routes for implementation.	CofGF (P&CD, P&R), GFBC, RTI, TWG	Short	Regulatory Framework
c. Improve and expand bicycle connections to the River's Edge Trail through signage and routes.	CofGF (P&CD, P&R), GFBC, RTI, TWG	Short	Capital Improvement
d. Ensure that bike routes link and connect neighborhoods, employment centers, amenities and destinations.	CofGF (P&CD), GFBC, RTI	Short	Regulatory Framework
e. Develop public education and marketing programs to maximize the use of the bicycle network.	RTI, GFBC	Short	Program
<b>3. Reduce or eliminate Downtown one-ways.</b>			
a. Conduct a one-way conversion plan to help facilitate an environment that is pedestrian and retail friendly, improves local circulation, and increase access to Downtown businesses.	CofGF (P&CD, PW), MDT	Medium	Program
b. Effectively communicate the costs and benefits of one-way conversions to all stakeholders.	CofGF, DAA (BID, DGFA)	Medium	Program
c. Develop roadway and streetscape design standards to further the intended benefits of one-way conversions for all users.	CofGF	Medium	Regulatory Framework
<b>4. Improve connectivity to the Missouri River, River's Edge Trail, and Gibson Park for bicycles and pedestrians.</b>			
a. Improve the attractiveness and enhance the visibility of railroad crossings and underpass tunnels that connect Downtown to the Missouri River, River's Edge Trail and Gibson Park.	CofGF (P&CD, PW, P&R), RTI	Medium	Capital Improvement
b. Identify locations and develop design options to develop an additional separated grade bike and pedestrian crossing of railroad tracks.	CofGF (P&CD, PW, P&R), RTI	Long	Capital Improvement
c. Utilize signage, pathways and striping to provide pedestrians and bicyclists with safe and efficient connections between Downtown and the surrounding neighborhoods.	CofGF (P&CD, PW), RTI, TWG	Short	Capital Improvement
<b>5. Develop a comprehensive Downtown wayfinding system.</b>			
a. Develop a comprehensive wayfinding program.	CofGF, DAA (GFDA), Private Business	Short	Capital Improvement



b. Supplement proposed wayfinding program with printed maps and brochures, digital and audio tours and websites and apps to guide visitors throughout Downtown.	CofGF (P&CD), HPAC, CVB, TBID	Medium	Program
c. Incorporate a series of named or themed pathways that connect Downtown amenities and destinations.	CofGF (P&CD), HPAC, CVB, TBID	Long	Capital Improvement
<b>6. Optimize Downtown parking for all stakeholders.</b>			
a. Conduct a comprehensive parking study to guide Downtown parking program.	CofGF (P&CD)	Short	Regulatory Framework
b. Improve bicycle parking facilities Downtown.	CofGF (P&CD, PW), GFBC, BID, private business	Short	Capital Improvement
<b>7. Expand the use of public transit Downtown.</b>			
a. Promote the use of transit for Downtown specific events.	GFTD, DGFA	Short	Program
b. Encourage expanded partnership between the Great Falls Transit District and Great Falls Public Schools to promote transit usage to reach Downtown events and activities.	GFTD, GFPS, DAA (DGFA)	Short	Program
c. Encourage Downtown businesses to work with the Great Falls Transit District to provide subsidized bus passes for employees as an alternative to Downtown parking.	DGFA, BID, GFTD, Private Business	Short	Program

**DESTINATION:**

<b>1. Market Downtown's entertainment, culture, shopping and dining.</b>			
a. Continue to actively cross-promote and package Downtown's entertainment, culture, shopping and dining facilities with Downtown events.	MT, MEC, DGFA	On-going	Program
b. Work with various groups and organizations including the Convention and Visitors Bureau, Tourism BID, Montana Expo Park and Airport Authority to promote Downtown as a tourism and convention destination to the region and Canada.	DAA (CVB, TBID), MTEP, GFIA	Short	Program
c. Develop a comprehensive and coordinated Downtown marketing campaign utilizing print, radio, television and social media.	DAA (all), TA	Immediate	Program
<b>2. Promote a broad range of family friendly entertainment and recreational opportunities and activities Downtown.</b>			
a. Review existing Downtown events and add free or low cost activities that engage a variety of age groups including: families, teens, young adults and older adults.	CofGF (P&R), DGFA	Short	Program
b. Promote new and exciting events in Downtown's parks, pools and recreational facilities that attract families with young children.	CofGF (P&R), DGFA	Short	Program
c. Encourage Downtown organizations and facilities to establish programs for parents to drop children off while they utilize Downtown's shopping and amenities.	Private Business, DGFA, Museum Group	Short	Program
<b>3. Ensure Downtown is active and vibrant during the evenings and weekends.</b>			
a. Actively pursue the development of a Downtown boutique hotel to provide quality lodging and amenities for Downtown visitors.	DAA (GFDA, CofGF), Private Business	Medium	Site Specific
b. Develop programs and events that provide opportunities for people to remain in and visit Downtown in the evening and on the weekend.	DAA (DGFA), CofGF (P&R)	Short	Program
c. Actively recruit an already successful restaurant to relocate or expand into Downtown.	GFDA, BID, DGFA	Short	Program



# Downtown Urban Renewal District Plan

d. Work with existing restaurant and bar/tavern owners to identify, develop and promote a Downtown Dining District.	DGFA, TA, DAA (all)	Medium	Program
e. Market Downtown's amenities and activities to current employers and employees to encourage the workforce to stay Downtown after business hours.	DAA (DGFA), TA, Restaurant owners	Immediate	Program
f. Create a year-round public market / food and arts incubator that would cater to residents, employees and visitors.	GFDA, DGFA, CofGF	Medium	Site Specific

#### 4. Increase the utilization of the Convention Center and Mansfield Center for the Performing Arts (Mansfield).

a. Develop public/private partnerships to package the facilities at the Civic Center and Mansfield with catering and dining services and lodging facilities to enhance the attractiveness of Downtown as a convention destination.	CVB, TBID, MCPA	Medium	Program
b. Enhance partnerships with entertainment promoters to utilize the Mansfield as a concert venue.	MCPA	Short	Program
c. Educate potential users of the Civic Center and Mansfield about the opportunities available at the facility, policies and prices.	MCPA	Immediate	Program

#### FLOURISHING:

##### 1. Identify and support an organization to lead and champion Downtown revitalization.

a. Establish a formal Downtown Development Agency within the City of Great Falls, in partnership with public and private entities, to foster new development and redevelopment Downtown and implement the goals, objectives and strategies identified in the Plan.	CofGF, DAA (all), Private Business	Immediate	Regulatory Framework
b. Establish a Downtown TIF and associated Urban Renewal Plan district to fund Downtown projects, improvements and organizational management.	CofGF, GFPS, CC	Immediate	Regulatory Framework
c. Update zoning and land use regulations to support recommendations of the Plan.	CofGF (P&CD)	Short	Regulatory Framework

##### 2. Improve the public realm to provide a safe, attractive and welcoming environment.

a. Encourage a partnership between Downtown organizations and stakeholders and the City Police Department to ensure a clean and safe environment.	DAA (W&S), GFDP	Short	Program
b. Establish a volunteer based Downtown clean-up day and/or program.	DAA (W&S)	Short	Program
c. Increase street level vitality by encouraging the active use of ground floor space in the Downtown core.	CofGF (P&CD), BID, DGFA	Short	Regulatory Framework

##### 3. Identify and attract high paying employers and jobs to Downtown.

a. Develop a comprehensive Downtown business retention and development plan that focuses on successful and emerging business clusters Downtown.	GFDA, CofGF	Short	Program
b. Utilize GFDA's business attraction and retention resources to leverage Down-	GFDA	Immediate	Program

##### 4. Support existing and attract new commercial and retail business Downtown.

a. Establish a mentor program to pair new entrepreneurs with successful Downtown business owners.	DGFA, BID, GFDA	Short	Program
b. Utilize national research and trends to identify and attract "Downtown friendly" retailers.	GFDA, BID, NW	Short	Program

c. Conduct a Downtown market analysis to guide commercial and retail development.	GFDA, BID, DGFA	Medium	Program
d. Provide existing business owners with market research and technical and financial assistance.	CofGF, GFDA, DGFA, BID	Medium	Program
e. Conduct a Downtown business and building inventory to establish and maintain an accurate database of what is currently located Downtown and what opportunities exist for business expansion, attraction and relocation.	CofGF (P&CD), BID, DGFA	Immediate	Program
<b>5. Attract a diverse mix of visual and performing artists to live and work Downtown.</b>			
a. Revive and support the Great Falls Arts Council to develop and promote arts programs, events and education.	CofGF, DAA (all)	Short	Regulatory Framework
b. Encourage the development of lofts, studios and live/work spaces in vacant or underutilized buildings to attract artists to Downtown and increase arts and culture activity.	CofGF (P&CD), DAA (GFCC, GFDA)	Medium	Program
c. Develop a roster of visual and performing artists and craftsperson's living in and around Great Falls to utilize for Downtown programs and events.	DGFA	Short	Program
d. Capitalize on the success of Western Art Week by drawing visitors to Downtown galleries, shops and restaurants.	DAA (GFCC)	Immediate	Program
e. Continue to promote Downtown art galleries and artists through events such as the First Friday Art Walk.	DAA (DGFA)	Immediate	Program

**LIVING:**

<b>1. Promote a wide range of housing choices throughout Downtown.</b>			
a. Ensure that the proposed City of Great Falls Downtown Development Agency is a champion of Downtown housing development.	NW, CofGF (P&CD)	Short	Regulatory Framework
b. Evaluate zoning and land use regulations to ensure policies allow for and encourage Downtown housing in the form of rehabilitation and preservation of existing buildings, infill development and new construction.	CofGF (P&CD)	Short	Regulatory Framework
c. Conduct a Downtown housing inventory to establish and maintain an accurate database of housing and property available for rent, ownership, and/or rehab.	NW, W&S, CofGF (P&CD)	Short	Program
<b>2. Ensure existing housing is safe and attractive.</b>			
a. Actively monitor the condition of existing housing and enforce the City's Property Maintenance Code.	CofGF (P&CD), W&S	On-going	Program
b. Promote and utilize the City of Great Falls Housing Rehab Loan program and Neighborworks Great Falls programs to enhance existing homes and rental properties.	CofGF, NWGF	On-going	Program
c. Develop a volunteer based residential improvement plan to ensure Downtown housing is safe and attractive.	W&S, NC	Short	Program
<b>3. Attract private investment and financing for Downtown housing.</b>			
a. Create new and promote existing incentive programs to encourage residential development.	NW, CofGF	Short	Program
b. Prepare a housing market study to assist developers, lending institutions and private property owners in developing Downtown housing.	Realtors, HBA, NW, GFDA	Short	Program
c. Establish a clearinghouse and/or database of residential financing options and incentives.	Realtors, HBA, NW, GFDA	Short	Program

# Downtown Urban Renewal District Plan

## 4. Attract retailers and neighborhood services that cater to Downtown residents.

a. Survey Downtown residents and utilize national research to identify neighborhood based commercial, retail and services that are missing Downtown.	NW, NC	Immediate	Program
b. Encourage mixed-use development that places residents within close proximity to commercial activities.	CofGF (P&CD)	Short	Regulatory Framework

## AESTHETICS:

### 1. Preserve, restore, and reuse Downtown's historic buildings and sites.

a. Market Downtown's historical resources to facilitate improvements and restoration of properties through tax incentives and preservation grants.	CofGF, HPAC	Immediate	Program
b. Educate current property owners and developers of the funding programs available to make improvements to the Downtown buildings.	HPAC, DAA (BID)	Immediate	Program
c. Establish a technical assistance and incentive program to encourage the adaptive re-use, rehabilitation and preservation of historic buildings and sites.	CofGF, HPAC	On-going	Program

### 2. Increase the number and diversity of public spaces Downtown.

a. Actively pursue the development of an indoor/outdoor community gathering space to host activities and events and attract residents, employees and visitors throughout the year.	CofGF, Private Business	Short	Site Specific
b. Encourage diversity in the form and function of Downtown parks, plazas and gathering spaces.	CofGF (P&CD, P&R)	Medium	Regulatory Framework
c. Explore the feasibility of developing rooftop green spaces.	CofGF (P&CD, PW), Private business	Medium	Regulatory Framework

### 3. Promote quality design and construction in Downtown's built environment.

a. Develop design guidelines to enhance the character of Downtown through the quality design and construction of Downtown's built environment.	CofGF, DAA (all)	Short	Regulatory Framework
b. Evaluate the function, authority and scope of the City's Design Review Board to ensure aesthetic goals of the Plan are achieved.	CofGF	Short	Regulatory Framework

### 4. Create attractive gateway design features that welcome residents and visitors to downtown.

a. Identify priority entrances into Downtown to construct gateway design features.	CofGF (P&CD, P&R), GFDA	Short	Capital Improvements
b. Establish a program to encourage community and/or service groups, private businesses and other stakeholders to "sponsor" the construction of gateway features.	DAA (all)	Short	Capital Improvements

<b>5. Expand and enhance the existing downtown streetscape.</b>			
a. Develop a comprehensive Downtown streetscape plan that prioritizes future improvements and builds upon the existing streetscape.	CofGF (P&CD, PW)	Short	Regulatory Framework
b. Ensure streetscape improvements are implemented in coordination with the construction of gateway design features.	CofGF (P&CD)	Short	Regulatory Framework
c. Work with the City Forester to establish tree planting programs throughout Downtown.	DAA (BID), NC	Short	Program
<b>6. Actively pursue the preservation and rehabilitation of the Rocky Mountain Building.</b>			
a. Identify an organization or partnership to lead restoration efforts including assisting in permitting process and requirements, identifying funding options, leading fundraising efforts and recruiting a mix of building tenants.	CofGF (P&CD), DAA (all)	On-going	Program
b. Encourage the current building owners to move forward with restoration improvements before weathering and damage continue to a point where rehabilitation is no longer feasible.	CofGF (P&CD), DAA (all)	On-going	Program

## **Funding and Administration:**

Tax Increment Financing (TIF) is necessary to encourage private reinvestment within the District, create employment opportunities, implement the goals set forth in this plan and increase the tax base of the District. The Downtown Urban Renewal District is hereby established as a tax increment financing urban renewal area in accordance with 7-15-4282-4292 and 4301-4324 (MCA).

For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district as of January 1, 2012.

### **Administration**

The District will be administered in accordance with 7-15-4232 (MCA). The Great Falls City Commission has the authority to administer and manage the District and the implementation of the DURP. Under 7-15-4232 (MCA) the City Commission may authorize a City Department to manage the program and implement the recommendation of the DURP. It is envisioned that the Commission will receive recommendations and input from the Planning and Community Development Department in partnership with the Downtown Partnership of Great Falls (the Partnership).

Planning and Community Development Staff will work with the Partnership to prepare an annual District work plan and budget, which the Partnership will submit to the City Commission for consideration and adoption. The work plan will list the activities and cost of activities for the coming fiscal years and a method of financing those activities. The Partnership will enter into an Memorandum of Understanding (MOU) or other form of agreement that outlines the roles and responsibilities of this group in relation to the District.

The Planning and Community Development Department will provide initial staffing to assist the Partnership in preparing the annual District work plan and budget, preparing and presenting annual reports to the City Commission, and coordinating the review of proposed projects and development requesting TIF funding. It is anticipated that TIF moneys will be used in the future to fund a permanent staff position.

Planning and Community Development Staff will provide to the City Commission and the public an annual program evaluation as part of the annual report.

## **Conformity with the Growth Policy**

The establishment of the Partnership and the Downtown TIF are both direct recommendations of the DMP - which was adopted as an attachment to the 2005 Growth Policy. Additionally, specific themes, goals and policies of the City's Growth Policy (displayed below) are supported by recommendations contained within the DURP.

- Encourage livable, walkable, visually and functionally cohesive neighborhoods that incorporate traditional design concepts (Land Use pg. 20).
- Formulate and adopt modern, flexible land development regulations in order to preserve and enhance the scale, quality, and character of existing neighborhoods (Land Use pg. 21).
- Encourage mixed land uses in new and redeveloping areas to achieve a high degree of self-containment, reduce auto dependence, and foster a strong live-work-play pattern of activity within neighborhoods (Land Use pg. 22).
- Encourage preservation of corridors of land for non-motorized transportation routes/trails and provide public investment for non-motorized transportation facilities (Land Use pg. 22).
- Review existing zoning to ensure it is consistent with neighborhood objectives, and pursue rezoning of areas where conflicts are found (Land Use pg. 23).
- Increase code enforcement activity in order to help protect neighborhoods from decay, decline and disinvestment (Land Use pg. 23).
- Allow for compatible, small-scale commercial uses that support existing neighborhoods and reduce dependence on automobile travel (Land Use pg. 24).
- Encourage public investment in parks and schools that are neighborhood focal points, consistent with the Comprehensive Park and Recreation Master Plan (Land Use pg. 25).
- Proactively direct development through public investment in infrastructure (Land Use pg. 28).

## **Amendment of the DURP**

The DURP may be modified at any time by the City Commission as necessary to eliminate and prevent the development or spread of blight and to encourage urban rehabilitation. The process for plan amendment shall be consistent with the procedures outlined in 7-15-4212 - 4219 (MCA).

# Downtown Urban Renewal District Plan

## **Conclusion:**

The City of Great Falls Downtown Master Plan recommends the establishment of an Urban Renewal District that utilizes TIF funding to revitalize and rehab downtown. The Plan provides an ambitious yet obtainable framework of goals, objectives and strategies that are intended to transition this area from its current condition to a vibrant and thriving destination. The Downtown Urban Renewal District has tremendous potential to re-emerge as the commercial, cultural and entertainment center of Great Falls.

# Downtown Urban Renewal District Plan





**CITY OF GREAT FALLS**



**TAX INCREMENT FINANCING  
(TIF)**

**APPLICATION FOR FUNDS**

**CITY OF GREAT FALLS  
TAX INCREMENT FINANCING (TIF)  
APPLICATION FOR FUNDS**

**Project Name:** Great Falls Downtown Parking Program Facility Maintenance and Improvements

**Date Submitted:** January 23, 2018

**Name of TIF District:** Downtown Urban Renewal Area

**APPLICANT INFORMATION**

**Name:** City of Great Falls downtown Parking Program

**Address:** 2 Park Drive South, Great Falls, MT. 59403

**Telephone:** 406-455-8530

**DEVELOPMENT INFORMATION**

1. **Building Address:** North Garage- 17 4<sup>th</sup> St. N., South Garage- 315 1<sup>st</sup> Ave S.
2. **Legal Description:** North Garage- Lots 1-5, Block 315, Great Falls Original Townsite, Great Falls, MT.  
South Garage- Lots 8-12, Block 365, Great Falls Original Townsite, Great Falls, MT.

3. **Ownership:** City of Great Falls

**Address:** 2 Park Drive S. Great Falls, MT.

4. **If property is not owned by the Applicant, list leasehold interest:** (*Attach evidentiary materials*).  
Name: N/A  
Address: N/A
5. **Existing/Proposed Businesses:** Existing Municipal Public Parking Garages

**Business Description:** Public parking available for lease at hourly, daily and monthly lease rates

6. **Employment: Existing FTE Jobs:** City staff: .50 FTE's, SP+ 5.6 FTE's

**New Permanent FTE Jobs created by project:** The project is not anticipated to "create" full time jobs. Public parking structures serve a vital supportive role for private ventures and community activities particularly in the urban environment where high density commercial buildings either cannot or do not provide their own off-street parking facilities. Having and properly maintaining these facilities is an essential element of attracting new business in the downtown area.

**Construction FTE jobs:** Unknown

7. **Architectural/Engineering Firm:** McKinstry Essention LLC is the Engineer of Record as well as the general contractor for the lighting project. Architects and/or Engineering firms will be retained to produce contracting and construction documents for the remaining maintenance and rehabilitation elements of the project.

**CITY OF GREAT FALLS  
TAX INCREMENT FINANCING (TIF)  
APPLICATION FOR FUNDS**

8. **Please provide a description of the Total Project Development (attach a narrative explanation).**  
See attached
9. **Please provide rehabilitation/construction plans (attach schematics, site and landscaping plans).**  
Final construction and contract documents have not been produced to date. Upon Commission approval of TIF expenditures, architectural and engineering plans and contract documents will be completed. Attached quotes and condition reports provide general condition assessments as well as anticipated general scope of work for the project.
10. **What is the development schedule or estimated completion date for the Total Project Development? The Total Project Development is best defined as the entire development, not just the TIF improvements (please include project phasing if appropriate).**  
City staff will be seeking final Commission action on the TIF application in April of 2019. Upon final approval, staff will introduce contracts for lighting and surveillance camera installation during May and June 2019. Professional Services contracts for architectural and engineering services for repair and maintenance projects are anticipated by June 2019 with construction during fall/winter 2019.
11. **Do you plan on asking for any other tax abatements, grants, tax credits or other forms of relief? If so, what type?**  
Not for this specific project. Staff does anticipate however that other grant sources will be sought for other additional projects such as downtown way-finding projects which will ultimately improve parking facility presence and marketing.
12. **Please describe your funding needs and the anticipated timing schedule for your identified Eligible TIF Activities (example: *I will be fronting the costs of all identified TIF improvements and would like to be reimbursed incrementally as TIF funds become available; I am interested in utilizing bond financing to complete the identified project improvements and would like to be reimbursed with TIF funds as they become available, I need TIF funds immediately to complete the identified TIF improvements, etc.*)**  
Total project costs are estimated at \$861,000. City staff is proposing to utilize Parking Fund Reserves in addition to the \$470,000 being sought in TIF funds. TIF reimbursement will be sought as the projects are completed and/or billed.
13. **Please indicate the amount of Public Infrastructure Need and the amount of Public Infrastructure being requested to be financed by the TIF District.**  
The North and South Parking Garages are owned by the City of Great Falls, are open to the public and are operated for the benefit of the public.

**TOTAL PROJECT DEVELOPMENT COSTS**

*The total project development cost is the cost to develop the entire project/site, and should include the cost of the TIF improvements.*

**Land and Site Preparation Improvements** (Itemized)

1. <u>Value of Land</u>	<u>\$ N/A</u>	
2. _____	<u>\$ _____</u>	
3. _____	<u>\$ _____</u>	
4. _____	<u>\$ _____</u>	
5. _____	<u>\$ _____</u>	
<b>Subtotal</b>		<b><u>\$N/A</u></b>

**Construction/Rehabilitation Costs** (Use general construction trade divisions)  
*(Total value of improvements)*

1. <u>LED Lighting Retrofit</u>	<u>\$265,000</u>	
2. <u>Surveillance system Install</u>	<u>\$ 67,000</u>	
3. <u>PARC'S Equipment Install</u>	<u>\$ 10,000</u>	
4. <u>Repairs and Maintenance</u>	<u>\$ 417,000</u>	
5. <u>Architectural/Engineering</u>	<u>\$ 20,000</u>	
6. _____	<u>\$ _____</u>	
7. _____	<u>\$ _____</u>	
<b>Subtotal</b>		<b><u>\$ 779,000</u></b>

**Equipment Costs**  
*(Total value of equipment)*

1. <u>Parkonect Equip</u>	<u>\$ 74,000</u>	
2. <u>Entrance Gates</u>	<u>\$ 8,000</u>	
3. _____	<u>\$ _____</u>	
4. _____	<u>\$ _____</u>	
5. _____	<u>\$ _____</u>	
<b>Subtotal</b>		<b><u>\$ 82,000</u></b>

**Total Project Development Costs** **\$ 861,000**

## ELIGIBLE TIF ACTIVITIES

### **Land Acquisition**

	Total	Amount Requested from TIF	Timing for Funds
1.	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

### **Demolition & Removal of Structures**

1.	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
2.	<u>                    </u>	<u>                    </u>	<u>                    </u>
3.	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>Subtotal</b>	<u>                    </u>	<u>                    </u>	<u>                    </u>

### **Relocation of Occupants**

1.	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
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### **Public Improvements**

*(acquisitions, construction and improvement of infrastructure which includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, storm sewers, etc.)*

1.	<u>PARC'S Equipment</u>	<u>\$92,000</u>	<u>Project Comp.</u>
2.	<u>LED Lighting Retrofit</u>	<u>\$265,000</u>	<u>Project Comp.</u>
3.	<u>Repairs &amp; Maintenance</u>	<u>\$93,000</u>	<u>Project Comp.</u>
<b>Subtotal</b>	<u>                    </u>	<u><b>\$450,000</b></u>	<u>                    </u>

### **Fees (associated with eligible activities)**

*(A&E design/supervision, permits & other fees)*

1.	<u>Architectural/Engineering</u>	<u>\$20,000</u>	<u>Project Comp.</u>
2.	<u>                    </u>	<u>                    </u>	<u>                    </u>
3.	<u>                    </u>	<u>                    </u>	<u>                    </u>

CERTIFICATION

I (we), CRAIG RAYMOND (please print),  
certify that the statements and estimates within this Application as well as any and all documentation  
submitted as attachments to this Application or under separate cover are true and correct to the best of  
my (our) knowledge and belief.

Signature  \_\_\_\_\_

Title DIRECTOR, PLANNING & COMMUNITY DEVELOPMENT

Address 2 PARK DR. S., GREAT FALLS, MT.

Date 1/22/19

Signature \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_



## **2019 Downtown Parking Facility Improvements**

Since at least 2011, the Downtown Parking Program has struggled to consistently maintain essential facilities through existing revenue sources alone. As part of the most recent parking program review, the Parking Advisory Commission (PAC) has established key improvement and maintenance priorities as well as identified current funding strategies for top priority needs. Additionally, the PAC is working through longer term operational improvement and revenue strategies which will be critical in order to provide consistent and reliable funding streams for future maintenance and improvement priorities. The following is a brief narrative of the list of the highest priority projects which the PAC has recommended completing in the coming year.

### **LED Lighting Conversion:**

Existing lighting throughout the north and south parking garages are 100W high pressure sodium. The lighting is often on 24 hours a day, as the controls are manual. Comprehensively replace the lighting throughout the parking garages with new efficient LED lighting, capable of dimming with daylight and occupancy. Lights will no longer have to be turned on and off manually. This work will save more than \$17,000 annually in utility costs alone, and additional savings will be realized through reduced labor and parts due to the reduction of changing less bulbs over time.

### **Surveillance System Upgrade:**

Over the last several years, the parking garages have been subject to various types of criminal activity. Theft, vandalism, trespassing and drug use have resulted in damage to customers vehicles, damage to the facilities and a loss of customers due to the feeling of being insecure when using the garages. Illegal activity has also resulted in increased maintenance costs due to staff having to clean up after transients who use the garage as a shelter and bathroom. Both parking garages have inadequate and obsolete surveillance systems in place. Neither system monitors the entire facility leaving significant portions of the garage without coverage. Additionally, both systems use old, outdated technology that produces video footage that is not helpful as evidence in the prosecution of criminal activity. Together with the improved lighting system, the careful deployment of surveillance systems will simultaneously act as a deterrent and aid in criminal prosecution.

### **Parking and Revenue Control Systems:**

The entrance gate and revenue control system in the south parking garage has been broken for the last few years. Due to its age, replacement parts are no longer available. The PAC is recommending that new technology is deployed to replace non-functional equipment in the south garage but also to replace similar equipment in the north garage as well due to its age and to minimize having to maintain separate systems with differing technologies.

**Routine Garage Maintenance:**

Due to their design of being exposed to the elements, open parking garages require regularly scheduled routine maintenance of certain elements in order to maintain their structural integrity and expected weather proofing performance. Systems such as concrete sealants, control and expansion joint sealants and horizontal to vertical joint systems are required to be inspected and replaced at regular intervals. While some of this work was completed in the north garage in 2014, systems in the garage are beginning to show signs of failure, allowing water intrusion in the utility room and rusting metal doors and door frames. The south garage also has significant water intrusion problems from leaking roof drains and window art boxes. Damage from water intrusion is evident in the stair towers, staff office area and window art boxes.



# North Parking Structure



Engineering  
Condition  
Appraisal

Great Falls, MT

**Carl  
Walker**

5136 Lovers Lane  
Suite 200  
Kalamazoo, MI 49002

Project No. R1-2011-547  
April 26, 2012  
DRAFT

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## I. INTRODUCTION

In accordance with our proposal, **Carl Walker, Inc.** has completed an Engineering Condition Appraisal of the North Parking Structure in Great Falls, Montana. The primary objectives of this assessment were to assess the general condition of the structure, identify items requiring; repair, maintenance, and/or protection, and provide an estimate of preliminary construction costs for the recommended repairs prioritized into Near-term (within 5 years), Mid-term (6-10 years), and Long-term (11-20 years).

As part of this assessment, **Carl Walker, Inc.** completed a visual review of the structure, chain drag survey of the supported floors, light level readings, and conformance of the facility with current ADA standards.

## II. STRUCTURE DESCRIPTION

The North Parking Structure was constructed in 1979, and is located at the southeast corner of 1<sup>st</sup> Avenue North and 4<sup>th</sup> Street North. The parking structure consists of six supported levels and a slab-on-grade level and provides parking for approximately 498 vehicles.

The overall footprint of the parking structure is approximately 111 feet in the north/south direction and 248 feet in the east/west direction. A typical level is approximately 27,500 square feet and the total supported floor area for the structure is approximately 144,000 square feet. The slab-on-grade floor area is approximately 27,500 square feet.

The structure is a two-bay, double-threaded helix with one-way angled parking. The structural system consists of one-way cast-in-place post-tensioned concrete slabs framing with cast-in-place post-tensioned concrete beams. The supported slabs are 6 to 8 inches in thickness. Based on the original drawings, the slab and beam post-tensioning tendons consist of either unbonded 7-wire strands (ASTM A416) or button headed post-tensioning tendons (ASTM A421).

## III. DOCUMENT REVIEW

The documents available for our review are the following:

### Original Design Drawings

The "Owner Review" set of the original design drawings dated 1/25/1979 was available for review. The structure was designed by Carl Walker & Associates, Inc. of Minneapolis, Minnesota. The following items were noted on the drawings:

- Sheet S2 – "1<sup>st</sup>, Typical & Top Tier Plans" was not available for review.
- The parking structure was designed for a uniform live load of 50 psf. The stairs, landings and lobbies were designed for a uniform live load of 100 psf.
- The minimum compressive strength was specified to be 4,000 psi for the slabs.
- The supported slabs were specified to have an air content of 6%.



#### IV. GENERAL CONDITION REVIEW

On March 9, 10, and 11, 2012, **Carl Walker, Inc.** completed a review of the North Parking Structure. The review included a chain drag survey of the supported floors and visual examination of floor and ceiling surfaces, structural elements and their supports, and stairwells to assess the current condition and locate areas of deterioration and/or deficiencies. The following is a summary of our observations.

##### Floor Slabs

The floor slabs appear to be in good condition with a total of 150 square feet of floor delaminations. Most of the delaminations are relatively small in size ranging from 1 to 6 square feet. This deterioration is located mostly over the beams, where bar reinforcement and tendons are located near the top of the slab. Major contributors towards the deterioration of the concrete slabs are typically high chloride concentrations, shallow concrete cover for the reinforcing steel, and cracks in the slab.



The exact condition of the post-tensioning tendons and anchorages is unknown since these structural elements are embedded in the concrete slabs. Continued monitoring of the post-tensioning system is vital in keeping the structure in a safe and serviceable condition. No grease spots were observed at the underside of the slab which typically indicates deterioration of the post-tensioning tendons.

A narrow concrete overlay has been installed at the exposed roof level near column lines 6 and 9. The concrete overlay has de-bonded from the concrete slab.

##### Ceilings

To assess the condition of the ceiling (or underside of floor slabs) we performed a visual survey of all areas. The ceilings appear to be in excellent condition with no ceiling delaminations observed. Cracks were observed in the slab typically at the end bays (between column lines 1 & 2) and at the pour strips (between column lines 7 & 8). Staining was observed at some of the cracks which indicates that the cracks may be actively leaking. Some of the cracks have been routed and sealed at the top side of the slab. The condition of the sealant varies from poor to good.

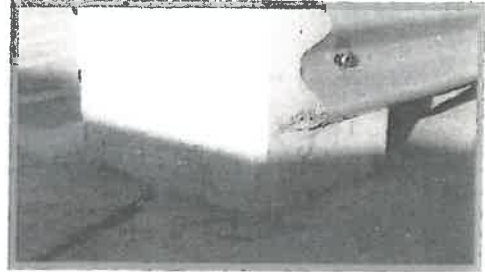


## Beams

The cast-in-place post-tensioned concrete beams appear to be in excellent condition. No beam delaminations were observed.

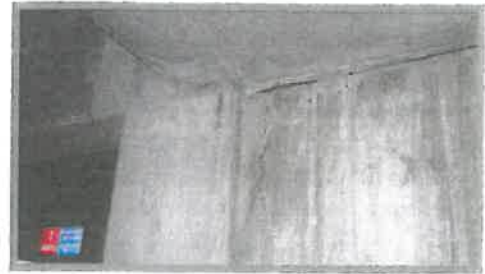
## Columns

The concrete columns appear to be in excellent condition. No column delaminations were observed. Deterioration of the grout at the base of the columns was observed at the exposed roof level.



## Walls

The concrete walls are in good condition with approximately 10 square feet of small isolated wall delaminations observed. The wall delaminations were observed at the retaining walls.



## Sealants

The construction joint sealants appear to be in fair condition at the lower levels and in poor condition at the exposed roof level. Staining was observed at the underside of the slab directly below the construction joints at some locations. Maintenance of the construction joint sealants is critical to prevent water from penetrating the slab down to the post-tensioning anchorages.

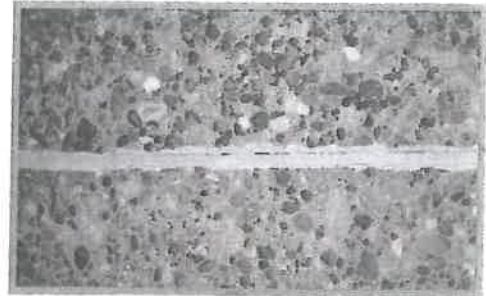


Cove sealants are installed at the perimeter of the structure at the curb/precast spandrel interface and at the curb/structural slab interface. The cove sealants appear to be in fair to good condition at the lower levels and in poor condition at the exposed roof level. The sealants at the roof level are in worse condition due to UV exposure.





The exterior façade consists of precast panels with an exposed aggregate finish. The joint sealants between the precast panels at the exterior of the structure are showing signs of wear and are near the end of their useful service life.

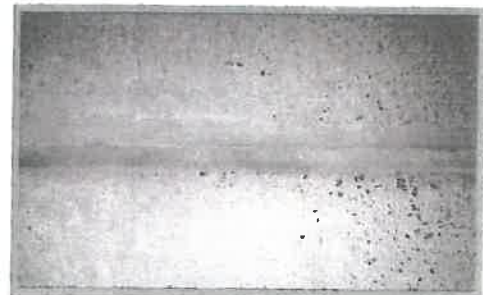


Failed sealant was observed at the horizontal isolation joint between the upturned beam and the precast panels at column lines 6 and 9.



### Expansion Joints

Deterioration was observed at the expansion joints between the slab-on-grade and the supported slab at Level 1. The expansion joint appears to be silicone sealant which has experienced adhesive failures. The failed expansion joint at the north bay (between column lines A and B) is allowing water to leak into the electrical/maintenance room below.



The expansion joints between the stair towers and the parking structure consist of pre-molded seals and almost all of them have failed. The expansion joints appear to have failed due to their age and the settlement that is occurring at the stair towers.



### Surface Treatments

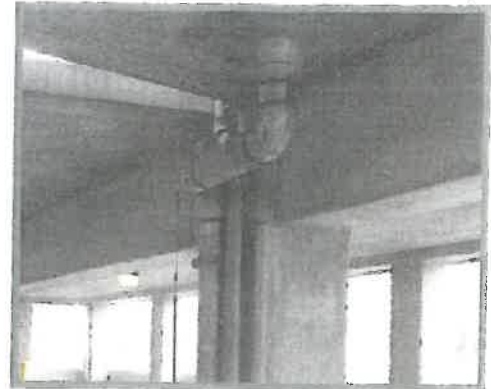
It is unknown if a concrete sealer has been applied to the floor surfaces of this parking structure. There is no deck coating (traffic bearing membrane) installed in this structure. Installing a deck coating at the construction joints and pour strips will help protect the critical areas where the post-tensioning anchorages are located.



## Mechanical

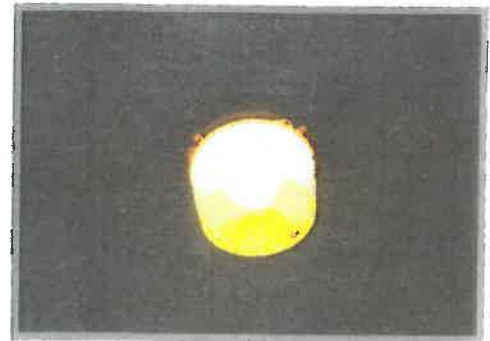
The storm drainage system appears to be in good condition. Floor drains are located along the interior column line at the bottom of the sloped bays. There are two floor drains per level. The storm drainage piping consists of galvanized steel piping. The storm drainage piping is in good condition with no deterioration noted.

Based on conversations with the facility manager, there is a ponding issue at the center crossover at level 6. The ponding water creates a slipping hazard during the winter months.



## Electrical

The lighting system consists of high pressure sodium light fixtures serviced by conduit that is embedded in the concrete slab. Typically the light fixtures are spaced one per bay with the light fixture centered within the bay. One light fixture at the level 1 ceiling near the exit to 4<sup>th</sup> Street was not functioning. The light fixture at the level 5 ceiling between column lines B & C and 10 & 11 has been removed, but has not been replaced. For additional information refer to Section V – Lighting Survey.



## Stair Towers

Stair towers are located at the northeast and southwest corners of the structure. Both stair towers contain elevators and a stairwell. The stairwell consists of concrete treads, risers, and landings. The stair towers are in relatively good condition.

The stair towers have settled creating an elevation difference between the parking structure and the stair tower of approximately 1 to 2 inches. Based on conversations with the facility manager, the stair towers have been settling for the past 10 years. Further investigation is required to determine the cause of the settlement.

The concrete stairs and landings are painted at both stair towers. The paint is worn down to the concrete at some locations. The locations of the heaviest wear were observed at the lower levels which experience higher volumes of pedestrian traffic.



The metal railings in the stairwells do not meet the height and opening requirements of the current code. The height of the railing is approximately 34 inches and the openings between the horizontal rails are approximately 7 inches. The current code requires that the height shall not be less than 42 inches and the opening shall be less than 4 inches. The railings most likely met the requirements of the code when it was built and likely remain grandfathered in. Deterioration of the paint on the railings was observed at isolated locations throughout the stairwells.



Corrosion was observed at the bottom of the metal door frames at level 4 of the northeast stair tower and at level 5 of the southwest stair tower. The corrosion is limited to the bottom 6 inches of the frame.



Shrinkage of the exterior window gaskets was observed at both of the stair towers. The gaskets are pulling away at the corners of the window frames creating an opening which allows water to easily penetrate the window system.



One of the mullion covers is missing at the east side of the southwest stair tower.



Efflorescence was observed at the masonry walls at both stair towers. The efflorescence was primarily observed at the east end of the north wall in the southwest stair tower, and at the south and west walls of the northeast stair tower. Potential sources of water infiltration could be leaking at the stair tower roof, failed expansion joints, failed mortar joints, failed window gaskets, and failed window perimeter sealants. We did not have access to the stair tower roofs so we were not able to review the roofing system.





Signs were observed in the stair towers warning pedestrians that the stairways may be slippery.



## ADA

The following is a summary of the ADA requirements for accessible parking spaces:

- When 401 to 500 parking spaces are provided there must be a minimum of 9 accessible spaces.
- One in every eight accessible spaces must be designated as "van accessible".
- Van accessible spaces must be serviced by an access aisle that is a minimum of 8 feet wide, and a height clearance of 8'-2".
- Accessible spaces must be serviced by an access aisle that is a minimum of 5 feet wide.

There are approximately 18-20 spaces indicated as accessible throughout the structure. Accessible spaces are provided at the southwest quadrant of Level 1 and near the stair towers at the upper levels. Only 2 of the 11 spaces with accessible signage and pavement markings on Level 1 have the required access aisle adjacent to the stall, rendering the remaining 9 spaces non-compliant. One of the accessible spaces at Level 2 near the southwest stair tower has a sign indicating that it is an accessible space, but the pavement markings are yellow in lieu of blue.

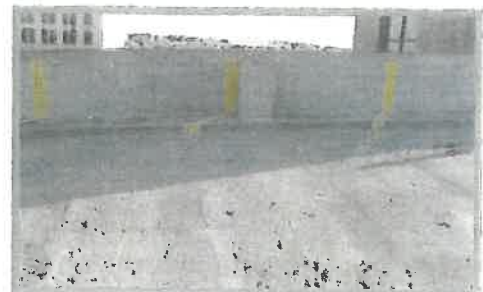


The 7'-6" height clearance in the North Parking Structure does not allow for van accessible spaces within the garage.

## Miscellaneous Features

Several miscellaneous features of the parking structure were observed including the pavement markings, way finding graphics & signage, vehicle & pedestrian barriers, revenue control equipment, and security/safety.

Pavement Markings: The pavement markings are showing signs of wear and are completely worn down to the concrete at some locations at the exposed roof level. Reapplication of the pavement markings is generally required every 3 to 5 years.



**Way finding Graphics & Signage:** The way finding graphics and signage throughout the structure provides adequate direction for the users. Each level is clearly marked with color coded signs and there is adequate signage at each level directing users where to go to park or to exit the structure.



The signs are in generally good condition with the following exceptions. One of the signs is missing at Level 6, graffiti was observed on a few of the signs, and the exit signs near the stair towers are not illuminated.



**Vehicle/Pedestrian Barriers:** The vehicle and pedestrian barrier consists of precast spandrels at the perimeter of the structure. The height of the precast spandrel from the top of the curb to the top of the spandrel is approximately 41 ¾ inches which does not meet the current code requirement of 42 inches.



The vehicle and pedestrian barrier consists of a steel guardrail with barrier strands at the interior column line. The height from the top of the slab to the top barrier strand is approximately 42 inches. There is approximately 10 inches between the top of the slab and the bottom of the steel guardrail and there is an opening of approximately 7 inches between the barrier strands. The current code requires an opening of less than 4 inches.



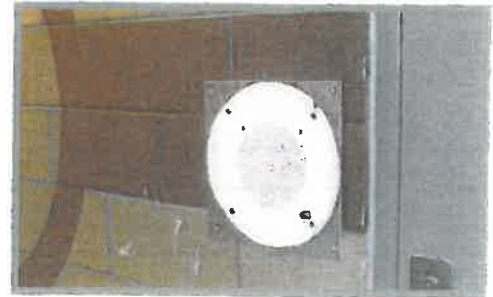
The barrier near column B-12 at Level 3 was damaged by vehicular impact. The steel guardrail is damaged and one of the barrier strands is sagging.

**Revenue Control Equipment:** The revenue control equipment consists of Federal APD TD-249 Ticket Spitters and Model G-89 Auto Gates. The equipment is approximately 15 years old. The revenue control equipment appears to be functioning properly. The revenue for this structure is collected by cashier during normal business hours, and by honor system after hours and on weekends.



**Security/Safety:** The overall security/safety perception of the parking structure is generally good. The stair towers are well lit and the structure has adequate openness. The exits are clearly marked with exit signs, however the exit signs were not illuminated. Security cameras were observed inside the stair towers at Level 1 and near the office at the west end of Level 1. Smoke detectors and emergency egress lighting were observed in the stair towers.

Intercoms are provided at each level within the stair towers, but there is no signage to identify them.



## V. LIGHTING SURVEY

**Carl Walker, Inc.** performed limited light measurements using a Minolta T-1 illuminance meter in areas that we considered to be exhibiting typical light levels for the structure. In the following paragraphs, we have shown the light levels recommended by Illuminating Engineering Society (IES) and the measured light levels for this structure.

The light fixtures are typically spaced at one per column bay (approximately 19 feet on center). The lighting system consists of high pressure sodium light fixtures. The lighting system is serviced by conduit that is embedded in the concrete slab.

The following horizontal light levels, in foot candles (fc), are average light levels recommended by IES for covered parking structures. Horizontal light levels are measured on the floor.

	Min. Horizontal (fc)	Uniformity Ratio
General parking and pedestrian areas	1	10:1
Ramps and corners	2	10:1
Entrance areas and Stairways	2	10:1

We measured horizontal light levels at three locations within the structure. The first location is at Level 4 between column lines '10' and '11' and columns lines 'B' and 'C'. The second location is at Level 5 between column lines '4' and '5' and columns lines 'A' and 'B'. The third location is at Level 6 (roof level) between column lines 'B' and 'C' and '9' and '14'. At the time of our measurements, no spaces were occupied and all surrounding lights were functioning. The results from the light level readings are provided below.

	Average	Minimum	Maximum	Max./Min.
Level 4	3.95	1.10	9.00	8.18:1
Level 5	3.09	1.00	6.20	6.20:1
Level 6	2.23	0.30	8.00	26.67:1

The minimum and average light measurements are in conformance with the Illuminating Energy Society's (IES) recommendation of one foot-candle at Levels 4 and 5. The average light measurements are above the IES minimum, but the minimum light measurement does not meet the IES minimum of 1.0 fc at Level 6. IES recommends a maximum/minimum horizontal uniformity ratio of 10:1 or less. The uniformity ratio at the location of the light survey was 8.18:1 at Level 4 and 6.20:1 at Level 5, which complies with the IES recommendation. The uniformity ratio at Level 6 was 26.67:1, which does not comply with the IES recommendation.



## VI. DISCUSSION AND RECOMMENDATIONS

**Carl Walker, Inc.** performed a condition survey of the City of Great Falls North Parking Structure to identify deterioration and damage. Based on this review, we prepared preliminary recommendations for a repair program that are most appropriate to maintain the structural integrity and prolong the service life of the structure.

We recommend that an engineer perform design services for the recommended repairs, as well as perform construction monitoring services during construction to review their implementation and allow for recommendation and design of any additional repairs resulting from unforeseen conditions that were concealed prior to construction. We have made the following recommendations:

### CONCRETE

**C1 – Top of Slab Repair:** Remove delaminated concrete, clean and coat of the embedded reinforcement, and install a new high quality concrete repair mortar.

**C2 – Overlay Repair:** Remove the de-bonded concrete and additional concrete as required to maintain a 1 ½" minimum thickness for the new overlay, prepare the surface in accordance with industry standards, and install a new concrete overlay.

**C3 – Wall Repair:** Remove the delaminated concrete, clean and coat the embedded reinforcement, and install a new high quality concrete repair mortar.

### WATERPROOFING

**W1 – Rout & Seal Cracks:** Routing and seal the cracks in the concrete slab to help prevent the infiltration of moisture and chlorides. This includes resealing cracks where the existing sealant has failed.

**W2 – Remove & Replace Sealant at Construction Joints:** Remove and replace the sealants at all construction joints to help prevent the infiltration of moisture and chlorides.

**W3 – Remove & Replace Cove Sealant:** Remove and replace the sealants at all cove joints to help prevent the infiltration of moisture and chlorides. The cove sealants at the exposed roof level should be replaced in the Near-Term (within 5 years), while the cove sealants at the lower levels can be deferred until the Mid-Term (6 to 10 years).

**W4 – Remove Grout at Base of Column & Replace with Cove Sealant:** Remove the deteriorated grout at the bases of the columns at the exposed roof level and installing cove sealant.

**W5 – Remove & Replace P/C Panel Sealants:** Remove the existing sealants between the precast panels and replacing them with silicone sealant.

**W6 – Remove & Replace Isolation Joint Sealant at Level 7:** Remove the existing sealant at the horizontal isolation joint between the upturned beam and the precast panels at column lines 6 and 9 at Level 7 and replace them with silicone sealant.





**W7 – Remove & Replace Expansion Joints at Level 1:** Remove the existing expansion joints at Level 1 and replace them with new multi-cell winged expansion joints.

**W8 – Remove & Replace Pre-Mold Expansion Joints at Stair Tower:** Remove and replace the existing pre-Mold expansion joints at the stair towers. We recommend that further investigation, including soil borings and consultation with a geotechnical engineer, be performed to determine the cause of the settlement prior to replacing the expansion joints.

**W9 – Install Deck Coating at Pour Strips:** Install a 5 foot wide strip of deck coating at all pour strips and a 1 foot wide strip of deck coating at all construction joints to help protect the embedded mild reinforcement and slab post-tensioning system.

When deck coatings are applied to existing slabs, continued corrosion of the embedded reinforcing steel and subsequent spalling of the concrete surface may continue, however, at a much-reduced rate. The application of deck coatings will reduce the infiltration of moisture and chloride, which will subsequently reduce the rate of corrosion of the reinforcing steel as well as increase the life of the concrete repairs and the sealants.

**W10 – Install Concrete Sealer:** Apply a clear water repellent concrete sealer at all supported slab surfaces. The concrete sealer will help prevent the infiltration of moisture and chlorides. The date of the last concrete sealer application is unknown.

## MECHANICAL

**ME1 – Install Supplemental Floor Drain:** Install a supplemental floor drain at the center crossover at Level 6 to eliminate the ponding water and potential slip hazard. The supplemental floor drain should be connected to the existing storm drainage system.

## ELECTRICAL

**E1 – Add Light Fixtures to Improve Lighting:** Add light fixtures and/or upgrade the existing light fixture at the roof level to meet recommended IES light levels.

**E2 – Replace Light Fixture:** Replace the light fixture that is missing at Level 6.

**E3 – Upgrade Lighting:** Consider removing the existing metal halide light fixtures and replacing them with new state of the art light fixtures that are more energy efficient. We have provided an estimated cost for lighting replacement in the 6 to 10 year range.

## STAIR TOWERS

**S1 – Repaint Stair Tower Railings:** Repaint the stair tower railings. This work is scheduled for the Mid-Term (6-10 years) since the paint is currently in good to fair condition overall.

**S2 – Clean & Paint Door Frames:** Clean and paint all corroded door frames.

**S3 – Install Silicone Wet Sealant at Stair Tower Windows:** Install silicone wet sealant at all stair tower windows (glass to metal frame joint) to provide a watertight enclosure.

**S4 – Remove & Replace Window Perimeter Sealants:** Remove and replace all window perimeter (masonry to metal frame joint) sealants at all stair tower windows to provide a watertight enclosure.

**S5 – Replace Mullion Cover:** Replace the mullion cover that is missing at the southwest stair.

**S6 – Re-point Deteriorated Mortar Joints:** Re-point all deteriorated mortar joints at the exterior of the stair towers to minimize water infiltration.

**S7 – Install Masonry Sealer:** Apply a clear water repellent sealer to all exterior wall surfaces of the stair towers to help reduce water infiltration.

**S8 – Install Exposed Aggregate Coating:** Install an exposed aggregate epoxy coating in the stair towers to help improve the slip resistance. The epoxy coating will also help protect the concrete and embedded reinforcement.

## MISCELLANEOUS

**M1 – Repaint Pavement Markings:** Repaint the pavement markings at all levels every 3 to 5 years. Access aisles should be provided at all accessible spaces when the pavement markings are repainted. While this will reduce the total number accessible spaces, a minimum of 9 accessible spaces can still be provided to meet ADA requirements.

**M2 – Replace Missing or Damaged Signs:** Replace all signs that are damaged or missing.

**M3 – Replace Exit Signs:** Replace all of the exit sign with new illuminated exit signs.

**M4 – Guardrail Repair:** Replace the barrier strand and section of steel guardrail that has been damaged due to vehicular impact at Level 3.

**M5 – Revenue Control Equipment:** Typically the useful life of Parking Access and Revenue Control System (PARCS) equipment is seven to ten years. The relatively mild "indoor environment" has helped extend the life of the existing PARCS equipment. However, PARCS equipment that is fifteen years old is usually considered technologically obsolete. Technology is advancing at a rapid pace throughout society and advanced technology is now commonplace in the parking industry.

The operating scenarios used to manage parking facilities are likewise changing in North America. More facilities are now operated without staffed cashier booths. In some instances the cashiers are being replaced by parking attendants who help customers having problems with automated equipment, perform light housekeeping, provide a roving security presence, etc. Pay-on-foot operations where customers pay their parking fee before returning to their vehicle are now commonplace. Pay-in-Lane machines are also used in some instances to automate the collection of fees in the exit lane. In some markets a credit card in – credit card out operating scenario has been successfully implemented. Other parking managers have retained the traditional exit lane cashiering mode of operations. Each approach obviously has a list of advantages and disadvantages and the operating scenario for a specific parking facility should be carefully chosen.



The installation costs of PARCS equipment for the operating scenarios in a particular parking facility will vary considerably. For example the costs for a pay-on-foot pay station can vary from \$20,000 to \$65,000 depending on the features included on the machines. Some PARCS systems require a sophisticated computer network for efficient management capabilities. The operating and maintenance costs associated with different operating scenarios should also be considered. The compatibility of equipment with equipment in other nearby facilities is also an important consideration.

For these reasons, the City of Great Falls should first determine the best operating scenario for the North and South Parking Structures before setting a budget for replacing the existing equipment. The equipment costs could vary widely. However, the costs to operate and maintain the system, and the customer service provided will also vary.

## FUTURE EVALUATIONS AND TESTING

**Periodic Evaluation:** A periodic updated evaluation is recommended every 3 to 5 years.

**Chloride Ion Analysis:** During the next evaluation, remove concrete dust samples for chloride ion analysis to develop a slab depth/chloride-ion profile in the parking structure. This information will be useful in providing insight as to the long-term durability and expected service life of the parking structure and repairs, as well as determining the appropriate concrete protection system to be installed (e.g. silane sealer vs. traffic-bearing deck membrane). Follow-up testing is recommended every 3 to 5 years to monitor the progression of chloride contamination in the concrete.

**Stair Tower Settlement Evaluation:** The original design drawings indicate that the parking structure is supported on a steel pile foundation system, while the stair towers are supported separately on a concrete mat foundation system. Changes in soil conditions would have a greater affect on the mat foundation that the steel pile foundation could result in the differential settlement between the stair towers and garage structure. We recommend further investigation, including soil borings and consultation with a geotechnical engineer, be performed to determine the cause of the settlement.





## VII. COST ESTIMATE

We have prepared an opinion of cost for the recommended repairs for the City of Great Falls North Parking Structure to assist you with developing a budget for implementing the repairs. The repairs have been prioritized into three categories; Near-Term (within 5 years), Mid-Term (6 to 10 years), and Long-Term (11 to 20 years). Costs are in 2012 dollars and are not factored for inflation.

### Cost Estimate

Work Item	Unit	Estimated Quantity	Unit Cost	Cost			
				Near-Term (0-5 years)	Mid-Term (6-10 years)	Long-Term (11-20 years)	
<b>CONCRETE</b>							
C1	Top of Slab Repair	S.F.	150	\$40.00	\$6,000.00	\$9,000.00	\$20,000.00
C2	Overlay Repair	S.F.	100	\$30.00		\$3,000.00	
C3	Wall Repair	S.F.	10	\$100.00	\$1,000.00		\$1,000.00
<b>WATERPROOFING</b>							
W1	Rout & Seal Cracks	L.F.	2,100	\$5.00	\$10,500.00		\$10,500.00
W2	Replace Sealant at Construction Joints	L.F.	2,500	\$4.00	\$10,000.00		\$10,000.00
W3	Replace Cove Sealant	L.F.	8,300	\$4.00	\$8,000.00	\$24,000.00	\$8,000.00
W4	Replace Grout at Base of Column with Cove Sealant	L.F.	60	\$7.50		\$500.00	
W5	Replace P/C Panel Sealants	L.F.	3,600	\$10.00	\$36,000.00		\$36,000.00
W6	Replace Isolation Joint Sealant at Level 7	L.F.	110	\$7.00	\$800.00		\$800.00
W7	Replace Expansion Joints at Level 1	L.F.	116	\$125.00	\$14,500.00		\$14,500.00
W8	Replace Premold Expansion Joints at Stair Towers	L.F.	100	\$80.00	\$8,000.00		\$8,000.00
W9	Install Deck Coating at Const. Joints & Pour Strips	S.F.	4,500	\$4.00	\$18,000.00		\$18,000.00
W10	Install Concrete Sealer	S.F.	144,000	\$0.50	\$72,000.00		\$144,000.00
<b>MECHANICAL</b>							
ME1a	Install Supplemental Floor Drain	L.S.	1	\$15,000.00	\$15,000.00		
ME1b	Install Supplemental Floor Drain Piping	L.F.	110	\$50.00	\$5,500.00		
<b>ELECTRICAL</b>							
E1	Additional Lighting at Roof Level	EA.	1	\$1,000.00	\$1,000.00		
E2	Replace Light Fixture	EA.	1	\$1,000.00	\$1,000.00		
E3	Upgrade Lighting	L.S.	1	\$175,000.00		\$175,000.00	
<b>STAIR TOWERS</b>							
S1	Repaint Stair Tower Railings	L.S.	1	\$5,000.00		\$5,000.00	\$5,000.00
S2	Clean & Paint Door Frames	EA.	2	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00
S3	Install Silicone Wet Sealant at Stair Tower Windows	L.F.	2,100	\$7.00	\$14,700.00		
S4	Replace Window Perimeter Sealants	L.F.	1,000	\$7.00	\$7,000.00		
S5	Replace Mullion Cover at SE Stair	EA.	1	\$500.00	\$500.00		
S6	Re-point Deteriorated Mortar Joints	S.F.	1,000	\$15.00	\$15,000.00		\$15,000.00
S7	Install Masonry Sealer	S.F.	10,000	\$1.50	\$15,000.00		\$15,000.00
S8	Install Exposed Aggregate Coating	S.F.	4,300	\$5.00	\$21,500.00		\$21,500.00
<b>MISCELLANEOUS</b>							
M1	Repaint Pavement Markings	L.S.	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
M2	Replace Missing or Damaged Signs	EA.	5	\$100.00	\$500.00		
M3	Replace Exit Signs	EA.	12	\$250.00	\$3,000.00		
M4	Guardrail Repair	L.S.	1	\$3,000.00	\$3,000.00		
<b>Total</b>					\$293,500.00	\$222,500.00	\$334,300.00
Construction Mobilization & General Conditions (15%)					\$44,000.00	\$33,400.00	\$50,200.00
Construction Contingency (10%)					\$34,000.00	\$25,600.00	\$38,500.00
<b>Total Construction Budget</b>					<b>\$371,500.00</b>	<b>\$281,500.00</b>	<b>\$423,000.00</b>
Engineering and Testing (Design, Const. Observation, Evaluations, etc.)					\$43,500.00	\$38,500.00	\$52,000.00
Stair Tower Settlement Investigation					\$15,000.00		
<b>Total Project Budget</b>					<b>\$415,000.00</b>	<b>\$320,000.00</b>	<b>\$475,000.00</b>



## VIII. LIMITATIONS

The recommended restoration and protection of the parking structure can be performed and the rate of further deterioration reduced. However, we cannot guarantee that further deterioration will not take place with continued service-related exposure. Effective ongoing maintenance can significantly reduce long-term maintenance costs. Monitoring of the parking structure can assist in scheduling future maintenance.

Specific repair procedures are not part of this evaluation. This report defines items in need of repair and presents conceptual procedures. Construction Documents are required to address all aspects of materials selection and methods for repair of the parking structure. Repair cost projections are based on deterioration quantities identified during our review. Quantities and costs are not intended to define a guaranteed maximum cost, and variations in final quantities should be anticipated.

The evaluation and restoration of existing structures require that certain assumptions be made regarding existing conditions. Since some of these assumptions may not be confirmed without expending additional sums of money and/or destroying otherwise adequate or serviceable portions of the building, **Carl Walker, Inc.** cannot be held responsible for latent deficiencies which may exist in the structure, but which have not been discovered within the scope of this evaluation.



**APPENDIX A**  
**GLOSSARY OF RESTORATION CONCEPTS**

## **APPENDIX A - GLOSSARY OF RESTORATION CONCEPTS**

### **Introduction**

Concrete deterioration is generally evident by cracking, delamination, spalling, scaling, and leaching. These signs of distress and the associated corrosion of embedded steel are the most common deterioration problems of concrete parking structures. The figures provided in this Appendix are from the "Parking Garage Maintenance Manual" by the National Parking Association.

### **Corrosion of Reinforcing Steel**

Concrete provides a very alkaline environment (pH from 12 to 13.5) which normally protects embedded steel from corrosion. The intrusion of chlorides into the concrete around embedded steel upsets this alkaline condition and corrosion is likely to proceed if moisture and oxygen are available to support the process.

The chlorides normally enter the concrete from deicing salt solutions permeating through the hardened concrete from the top surface. The chloride concentrations therefore are highest at the surface and reduce with the depth below the surface, as shown in Figure A1. Figure A1 also shows the effect of concrete quality on chloride penetration.

There are two methods of testing for chloride content of concrete. One method is to test for water soluble chlorides per FHWA-RD-77-85, and is the test method recommended for the future evaluations of the North Parking Structure. Another method is for acid soluble chlorides (ASTM C114). The acid soluble method was not used because it will indicate not only free chloride ions which contribute to corrosion, but also those which have formed chemical compounds during cement hydration and do not contribute. It is estimated that about half of chlorides which are added at the time of mixing will be so combined.

Calcium chloride and other chlorides containing admixtures are frequently added to concrete during batching, especially during cold weather. As more has become known about the effect on corrosion, this practice of adding chlorides has been greatly curtailed, and is now usually prohibited in parking structures.

The chloride content above which corrosion is likely to occur is called the "threshold level." While there is some difference in opinion, we have established a range of 0.03 to 0.04 percent by weight of concrete as the threshold level for parking structures. This corresponds to approximately 1 to 1.5 pounds per cubic yard or 300 to 400 parts per million as shown in Figure A1.

Metallic corrosion is a dynamic electro-chemical process and induces progressive deterioration. Corrosion by-products (rust) occupy a volume several times that of the parent metal. This expansion causes high tensile stresses which crack and separate ("delaminate") the surrounding concrete. Initial cracking can occur when section loss of the parent metal is five percent or less. Cracks first appear vertically over the reinforcement nearest the exposed surface. These cracks allow direct access of moisture and additional chloride to the reinforcement, causing accelerated corrosion and subsequent delamination.

The impact that corrosion has on a structural member is variable. Three things happen, all of which are detrimental to the structural integrity:

- Surface spalling occurs, causing maintenance and serviceability problems.
- The reinforcement loses significant cross section and strength which causes increase in stress redistribution throughout the remaining reinforcement.
- The reinforcement debonds from the concrete, causing loss of monolithic interaction thus, inability of the reinforcement to carry any forces.

The progressive movement of concrete is a result of corrosion-induced jacking. It is also typical that concrete cross section loss, in addition to reduction in reinforcement area, impairs the load-carrying capacity of individual floor slab, beam and column systems.

The top and bottom reinforcement corrode similarly. Surface spalling near mid-span reduces the concrete section as a function of spall depth. Concrete section reduction at mid-span can significantly reduce the structural capacity of the concrete member. At the same time, severe corrosion of bottom reinforcement can result in its overstressing and possible yielding or failure.

### **Cracking**

Concrete cracking is caused by tensile stresses. These stresses may be due to load, as a flexural member, or other causes such as shrinkage or temperature drop. Some cracking is usually anticipated and the effects can be minimized by reinforcement or joints. Properly positioned reinforcement arrests crack development by keeping cracks short and tightly closed. Control joints are positioned to keep cracking only where it is planned. It is common practice to provide sealed crack control joints in concrete members when exposure to water is expected. Cracking can be detrimental when it occurs to an extent and frequency not expected. If abnormal or uncontrolled cracking develops, then steps are necessary to minimize the effect of cracking on long-term structure durability.

Uncontrolled construction cracking is usually caused by improper control joint detailing or concrete placement, insufficient consolidation, inadequate curing of the concrete, premature removal of form supports, or by plastic shrinkage of the concrete. Service-related cracking is usually due to temperature changes, load, settlement, or internal stress. Corrosion of reinforcing bars and aggregate chemical reaction are common causes of internal stress.

### **Delamination**

Concrete delamination usually results from the corrosion of reinforcing steel as shown in Figures A2 and A3. Delaminations often cannot be seen from the surface, and are located by sounding or with ultrasonic testing. The most common method is sounding with a hammer or steel chain. When a steel chain is dragged on a delamination a definite pitch change can be heard and the delamination sounds hollow. Delaminations will usually continue to crack and eventually become a spall.

### **Spalling**

Most concrete spalling associated with parking structures is the end result of corrosion-induced stress. Figures A2, A3, and A4 demonstrate this process. It is preceded by internal horizontal fractures (delamination) which eventually migrate from the steel to the nearest surface. When fractures reach the surface, the concrete breaks away leaving an open spall or pothole.

### **Scaling**

Concrete scaling deterioration attacks the mortar portion (paste) of the concrete mix. It first appears as minor flaking and disintegration of the concrete surface. Scaling eventually progresses deeper into the concrete, exposing aggregate which breaks away. This aggravates the process by exposing more paste to the elements. In extreme cases, apparently sound concrete can be reduced to a gravel-like condition in a short period of time. Figure A5 shows surface scaling deterioration.

Concrete scaling is usually caused by freeze-thaw action. If concrete is frozen in a saturated state, excess water freezing in the concrete causes high stress and weakens the mortar. Cyclic exposure to freeze-thaw action is very destructive to concrete in a saturated state. Deicing salt solutions accelerate the deterioration by increasing the number of freeze-thaw cycles and increasing the pore pressure.

Air entrained concrete is much more resistant to scaling than non-air entrained types. Air entrainment consists of microscopic air bubbles in the concrete. These bubbles, created by the addition of an admixture at the time of mixing, when properly sized and distributed, can act as small shock absorbers to cushion internal stresses caused by freezing and thawing.

### **Joint Deterioration**

The two most common methods for providing crack control or relief of restraint in concrete slabs are control joints and expansion joints. Joints on supported floor slabs in parking structures must be sealed against water leakage and intrusion of incompressible debris, both of which are damaging to the joint system.

Control joints deteriorate for reasons usually associated with failure of the sealant or failure of the adjacent concrete. Joint sealants which fail prematurely may not have the required degree of flexibility, bond strength, or durability for a particular application. If concrete adjacent to the joint is not sufficiently durable, then local scaling will cause joint sealant failure.

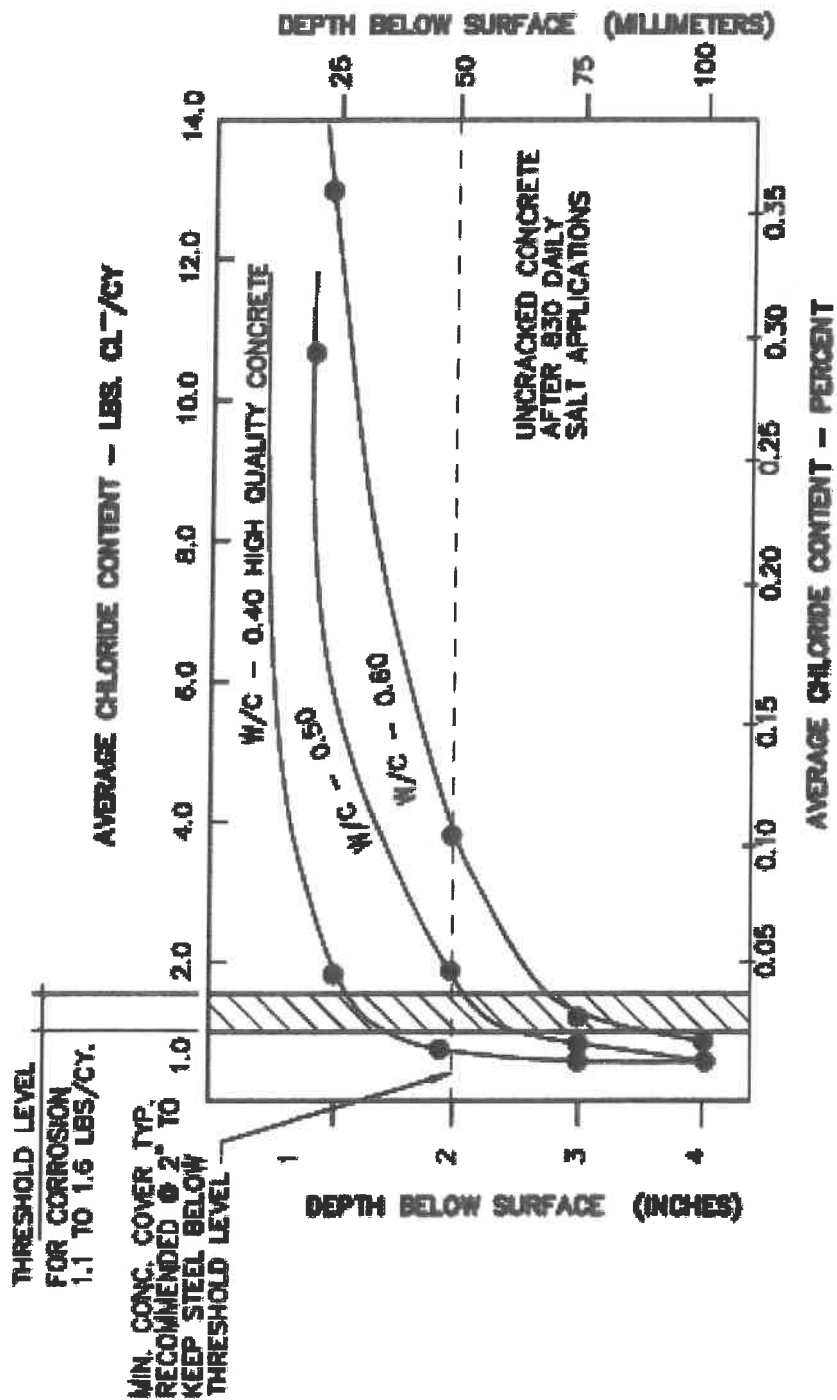
Expansion joint deterioration usually refers to the failure of the joint sealant system. The failure may be in the sealant materials or the adjacent concrete. Premature failures are most commonly associated with improper joint design, improper sealant material, incorrect installation, or in-service damage from traffic or snow plows.

### **Leaching**

Leaching is caused by frequent water migration through the floor slab or cracks. As water migrates through, it takes along part of the cementing constituents, depositing them as a white film, stain, or in extreme cases, stalactite on the ceiling below. This process eventually weakens the concrete and is accelerated by porous or perpetually moist concrete. Leaching frequently occurs along cracks, construction and control joints, beneath gutter lines, and around floor drains.

### **Surface Popouts**

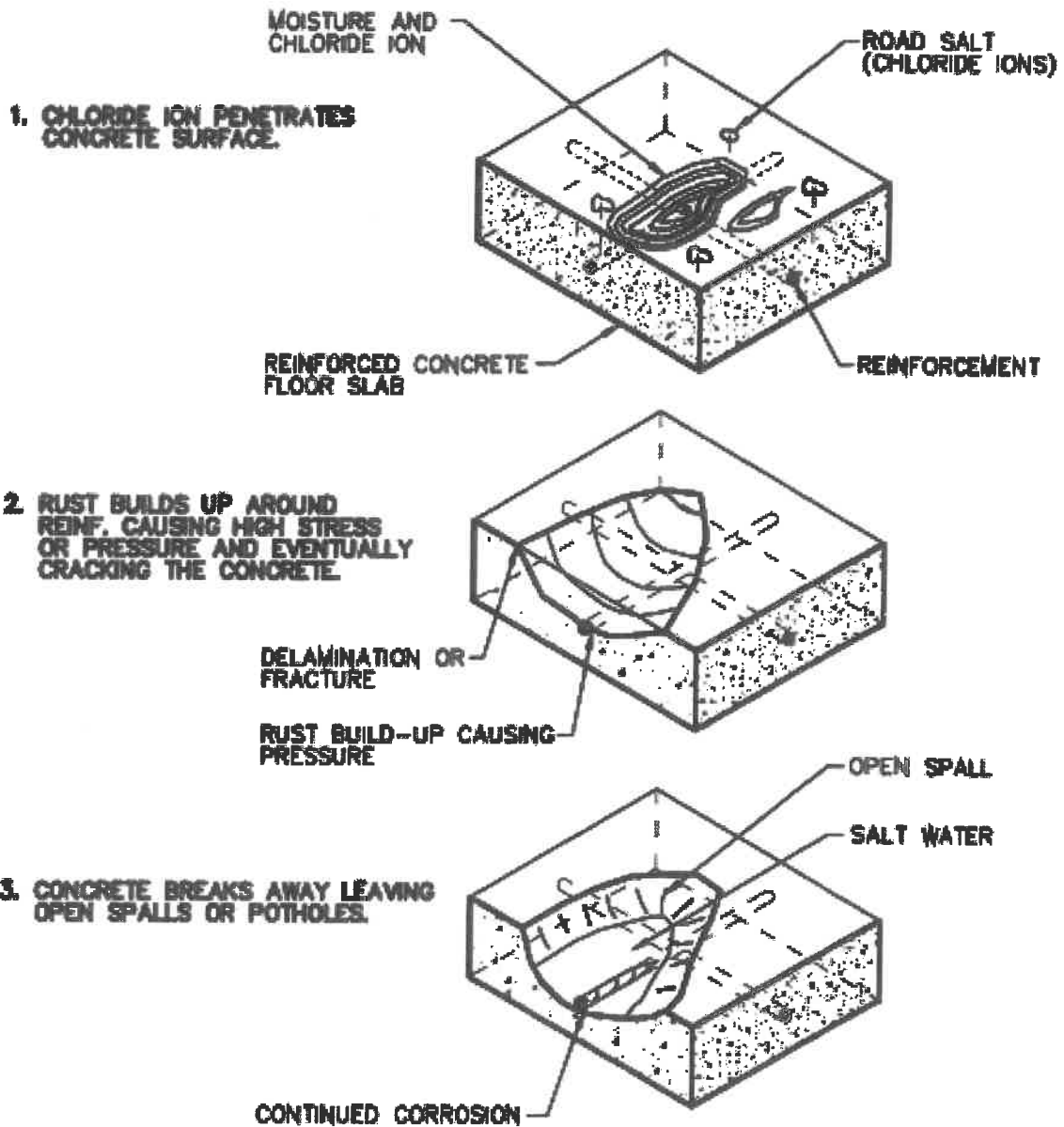
Popouts in the concrete surface result from freezing of the coarse aggregate. Certain aggregates are porous and become saturated with water. Upon freezing, the water expands, fracturing the aggregate. A pit or spall up to several inches in diameter results on the concrete surface.



EFFECT OF WATER-CEMENT RATIO ON SALT PENETRATION  
(ADAPTED FROM ACI 222R)

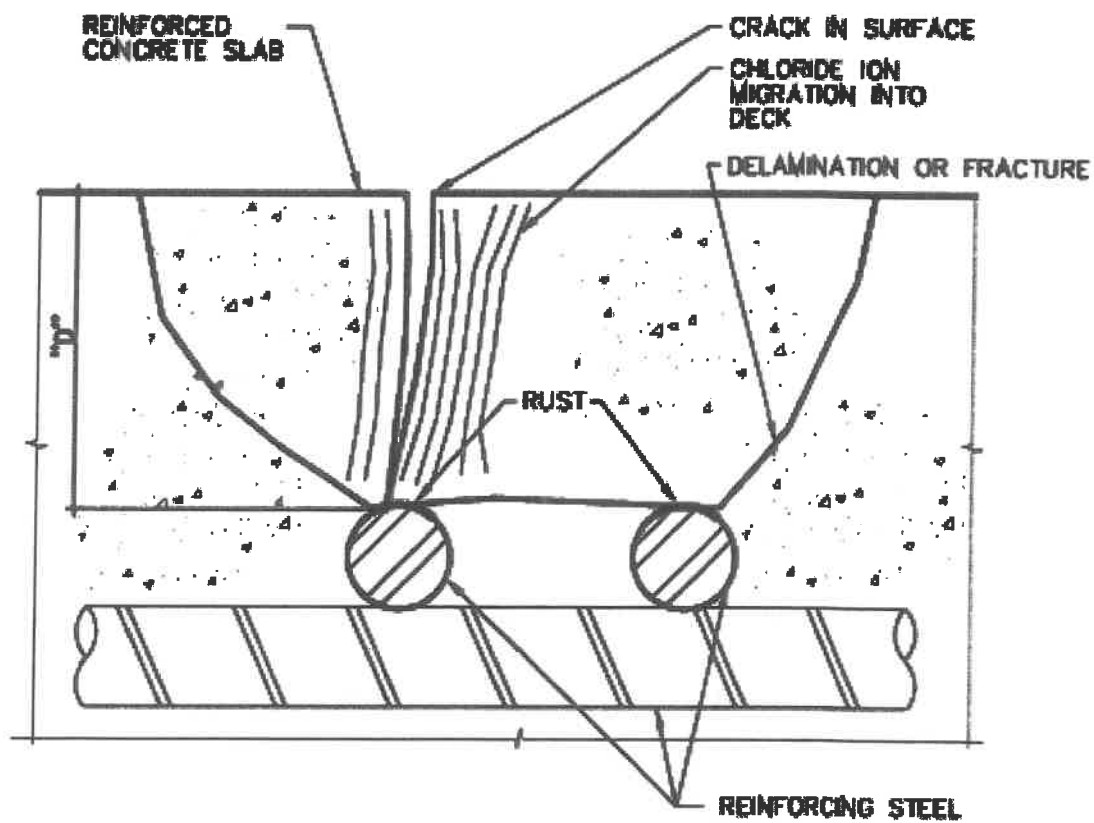
FIGURE A-1  
CHLORIDE ION CONCENTRATION VS DEPTH BELOW SURFACE



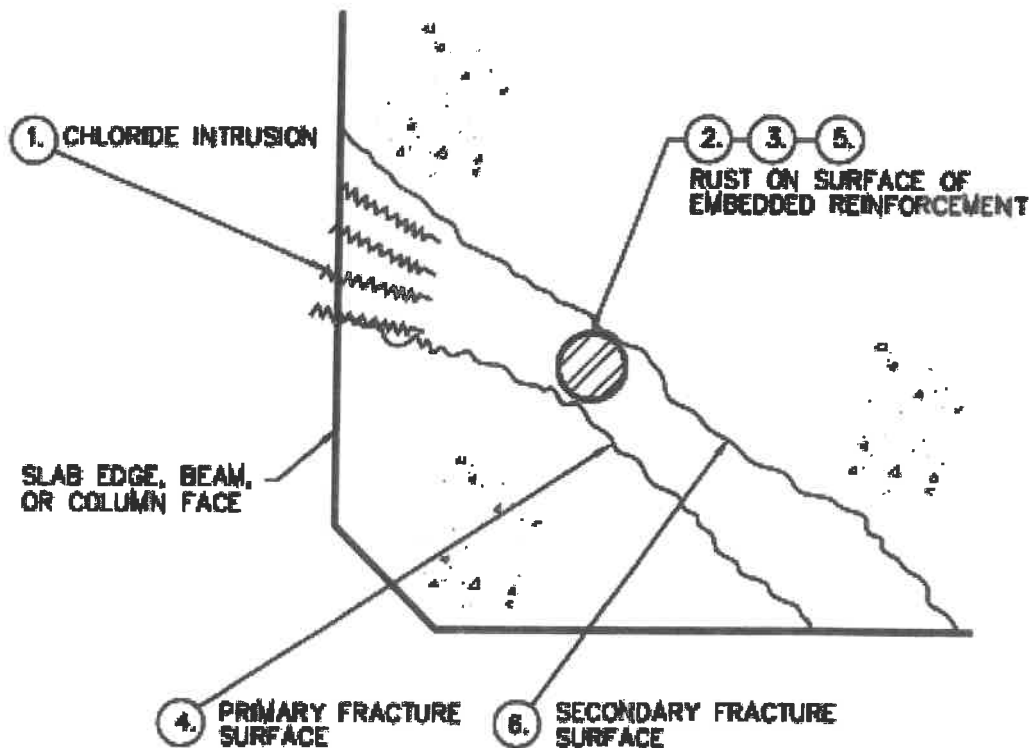


**FIGURE A-2  
CORROSION INDUCED DELAMINATION AND SPALLING PROCESS**





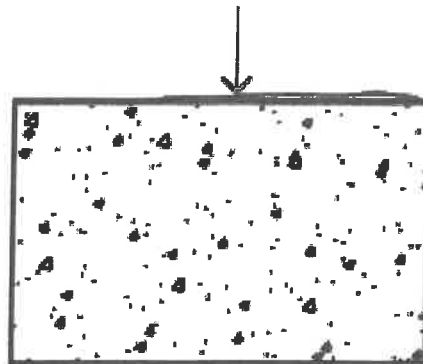
**FIGURE A-3**  
**REBAR CORROSION, DELAMINATION AND SPALLING MECHANISM**



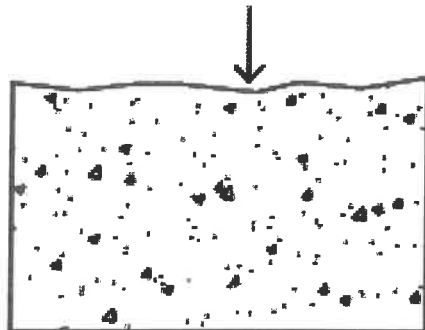
PROCESS DESCRIPTION

- ① CHLORIDE ION INTRUSION CONTAMINATES CONCRETE LOWERS PH AND INDUCES CORROSION OF EMBEDDED REINFORCEMENT.
- ② CORROSION BY-PRODUCTS "RUST" DEVELOP AT BAR SURFACE.
- ③ RUSTED BAR HAS INCREASE IN VOLUME WHICH CAUSES HIGH STRESSES IN CONCRETE SURROUNDING BAR.
- ④ HIGH STRESSES CRACK THE CONCRETE AT THE PRIMARY FRACTURE SURFACE.
- ⑤ ADDITIONAL SALT WATER AND AIR CAUSE FURTHER RUSTING OF BAR.
- ⑥ CRACK FORMS AT SECONDARY FRACTURE SURFACE.

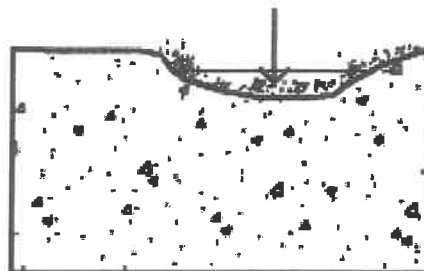
**FIGURE A-4  
SPALL DEVELOPMENT**



1. CONCRETE BECOMES SATURATED BY WATER PENETRATION THROUGH PORES AND CAPILLARIES



2. CONCRETE IS FROZEN IN A SATURATED STATE CAUSING HIGH STRESSES. LOOSE FLAKES APPEAR ON SURFACES AS THE MORTAR BREAKS AWAY.



3. AS FLAKING PROGRESSES, AGGREGATE IS EXPOSED AND EVENTUALLY BREAKS AWAY, THEREBY EXPOSING MORE PASTE TO FREEZE-THAW DAMAGE IN EXTREME CASES. APPARENTLY SOUND CONCRETE CAN BE REDUCED TO A GRAVEL-LIKE STATE IN A SHORT PERIOD OF TIME.

**FIGURE A-5  
CONCRETE SURFACE SCALING**

**APPENDIX B**  
**CONCRETE DELAMINATION SURVEY**

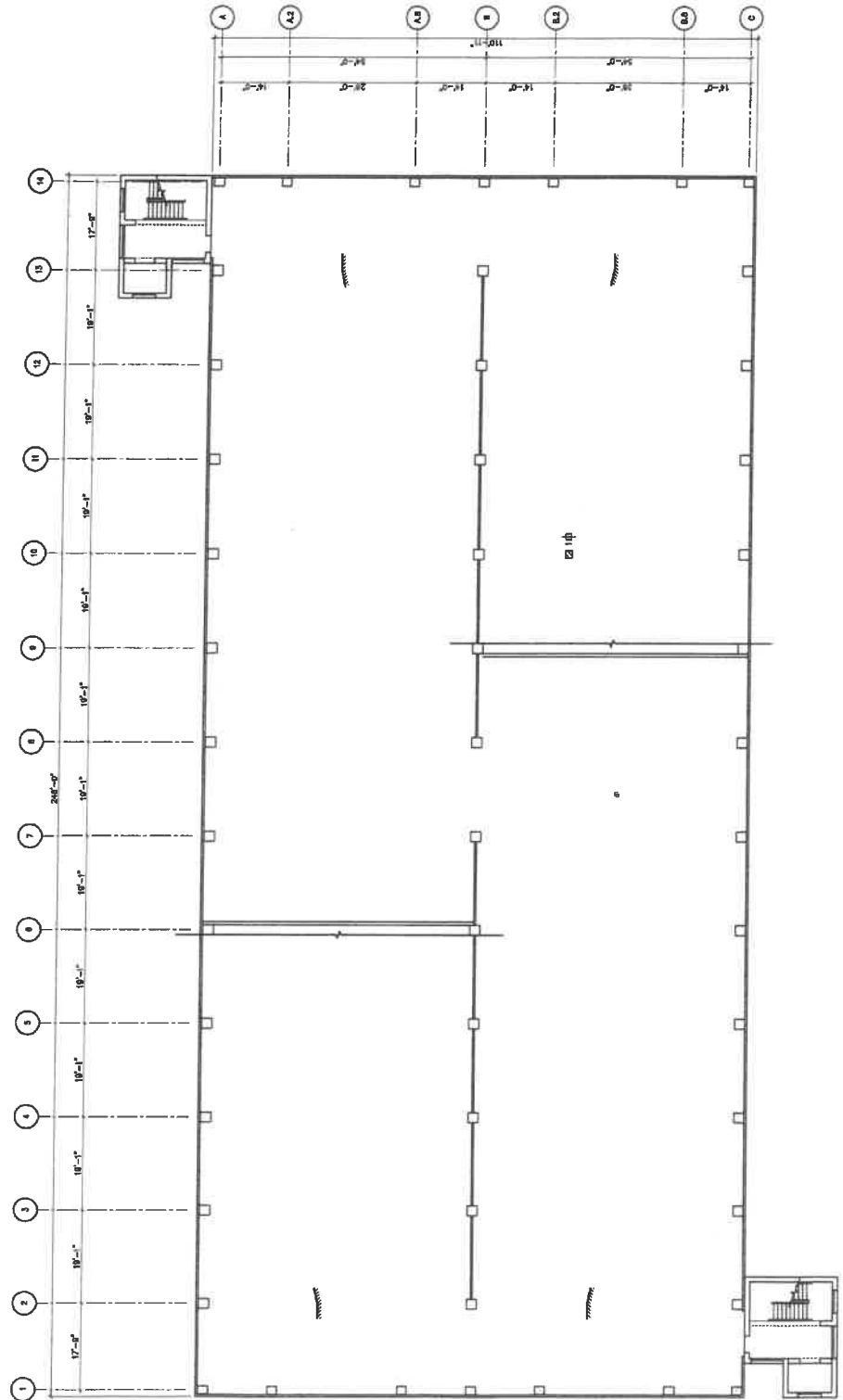
**NORTH  
 PARKING  
 STRUCTURE**  
 Great Falls, Minnesota

DATE:	04/27/2011
BY:	ms
DESCRIPTION:	

PROJECT NO.:  
 SHEET NO.:  
 DESIGNED BY:  
 DATE: 4/27/2011

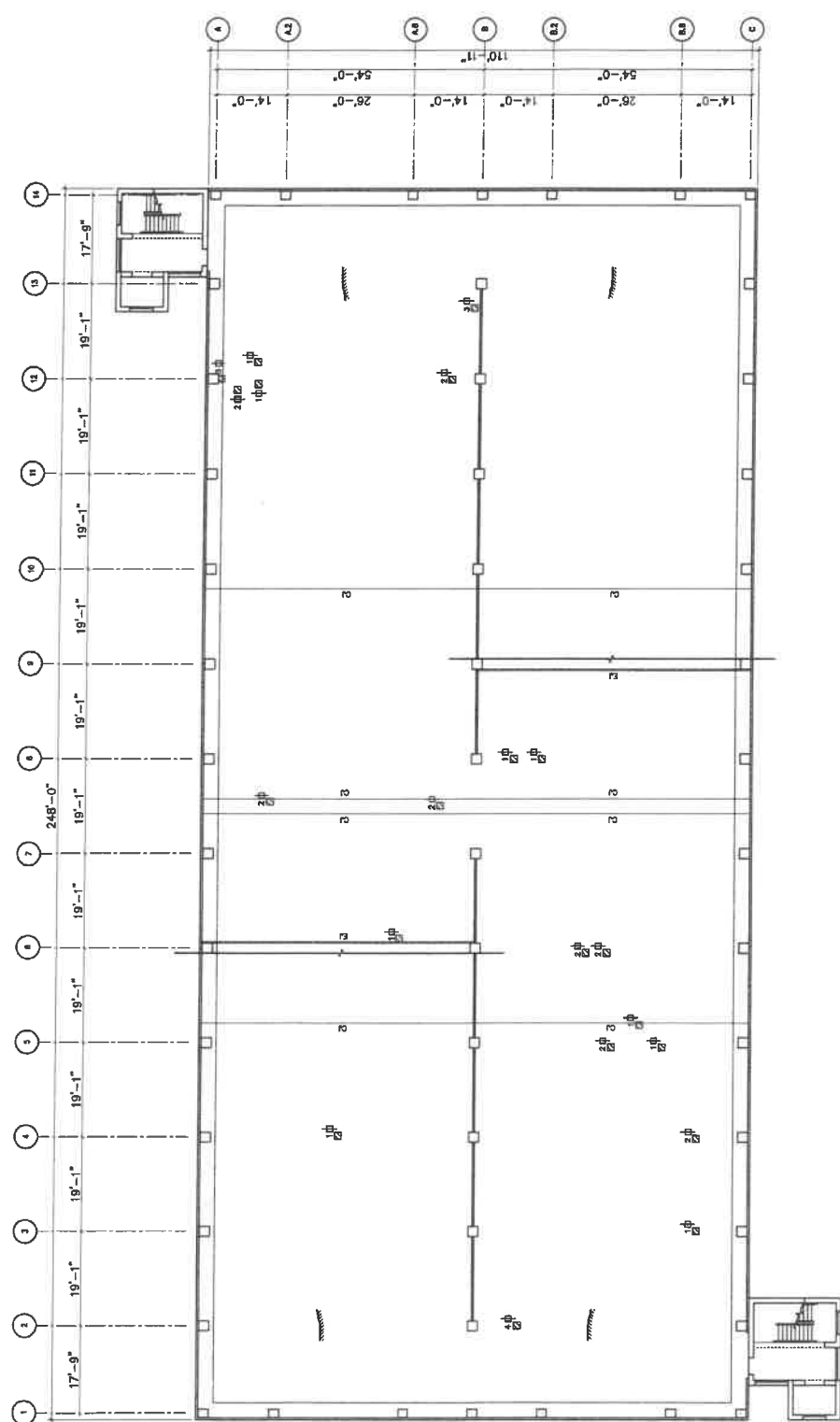
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**WESTING  
 PARKING B  
 LEVEL 1 PLAN**



**LEVEL 1 PLAN**  
 3/28'-1'-0"

**LEGEND**  
 = TOP OF SLAB DELINEATION



LEVEL 2 PLAN  
 3/25'-1\"/>

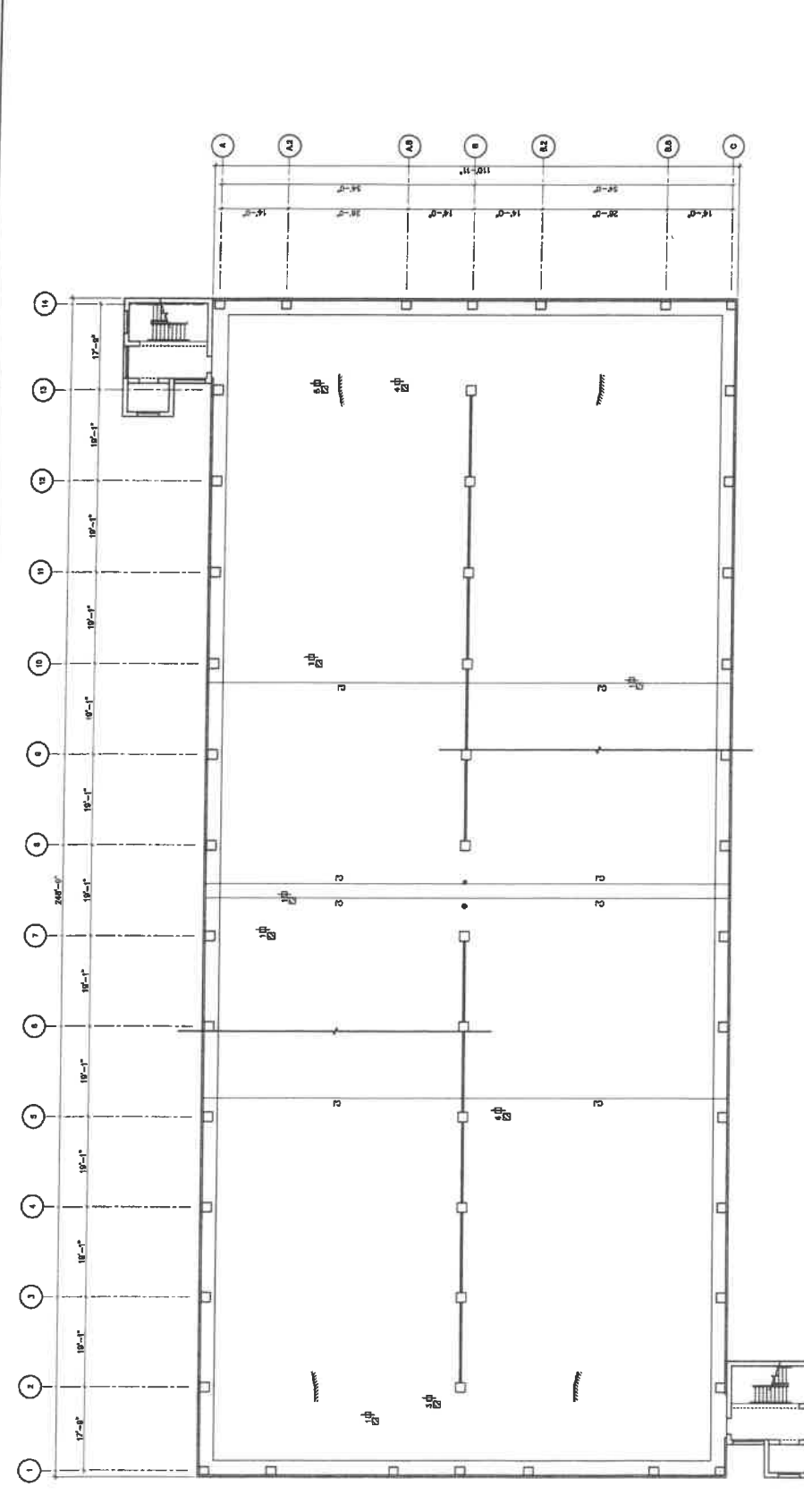
LEGEND  
 = TOP OF SLAB ELEVATION

CAD Notes: p:\DRAWING\2017 PROJECTS\2017 PROJECTS\2011 PROJECTS\2011 NORTH PARKING STRUCTURE PROJECT\10-2011-547 CITY OF GREENT PARK (WAD)\CAD\2011 NORTH PARKING STRUCTURE PROJECT-PROLOGE.dwg, 23, 2012, 10:29am, JCH

PROJECT NO.	2011-047
DATE	11/21/11
DESIGNED BY	JLW
CHECKED BY	ML
APPROVED BY	[Signature]
DATE APPROVED	11/21/11

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**APPENDIX B**  
**LEVEL 3 PLAN**



North  
 2011-047-P103

LEVEL 3 PLAN  
 3/28'-1'-0"

**LEGEND**  
 TOP OF SLAB ELEVATION





**NORTH  
 PARKING  
 STRUCTURE**  
 Great Falls, Michigan

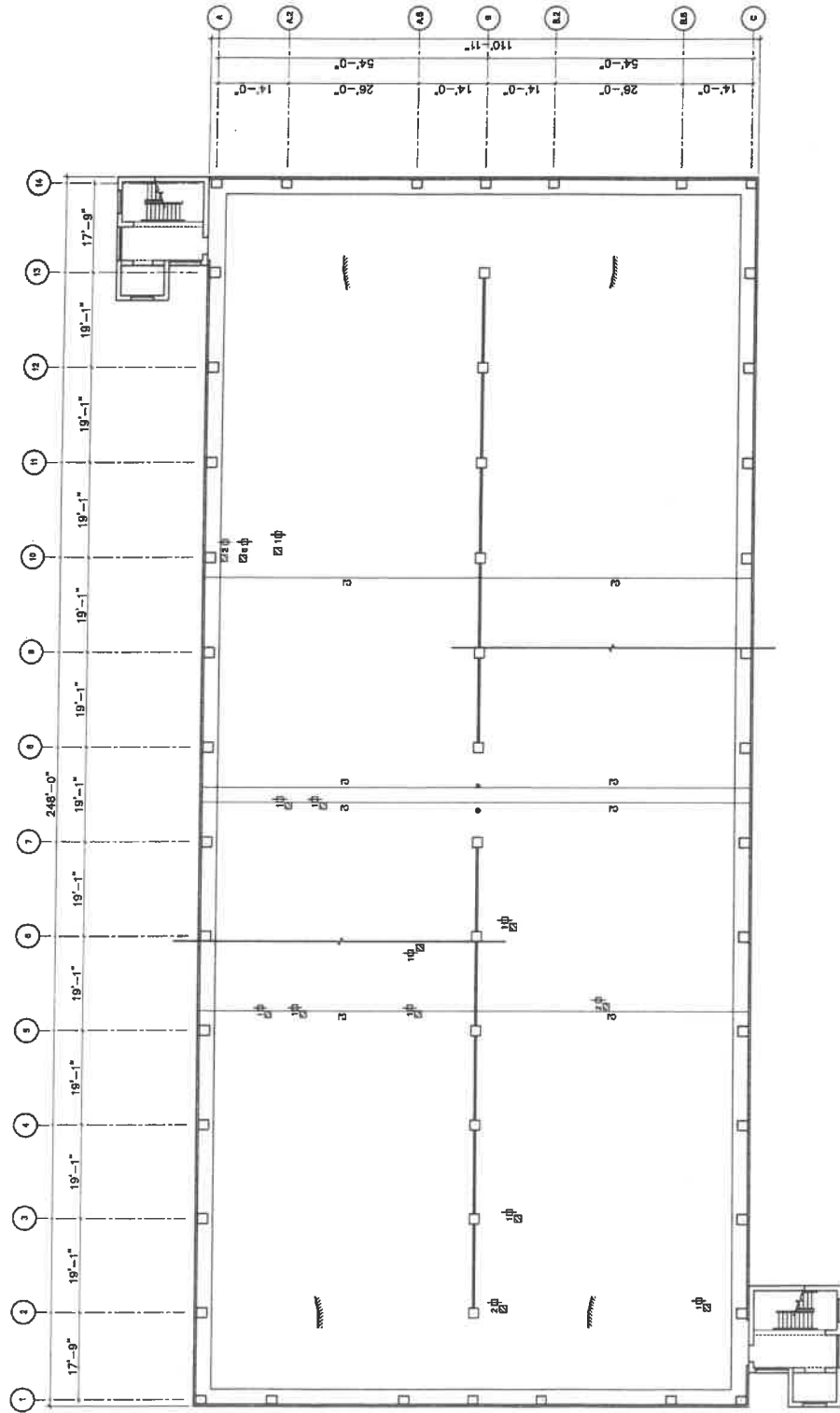
DATE	DESCRIPTION
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07/12/12	REVISED
06/14/12	ISSUED FOR PERMITS

PROJECT NO. 08-2071-047-2102  
 DRAWING NO. 050  
 DATE 08/14/12

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APPENDIX B  
 LEVEL 5 PLAN

B5



**LEVEL 5 PLAN**  
 3/25' = 1'-0"

**LEGEND**  
 [Hatched Box] = TOP OF SLAB DELAMINATION

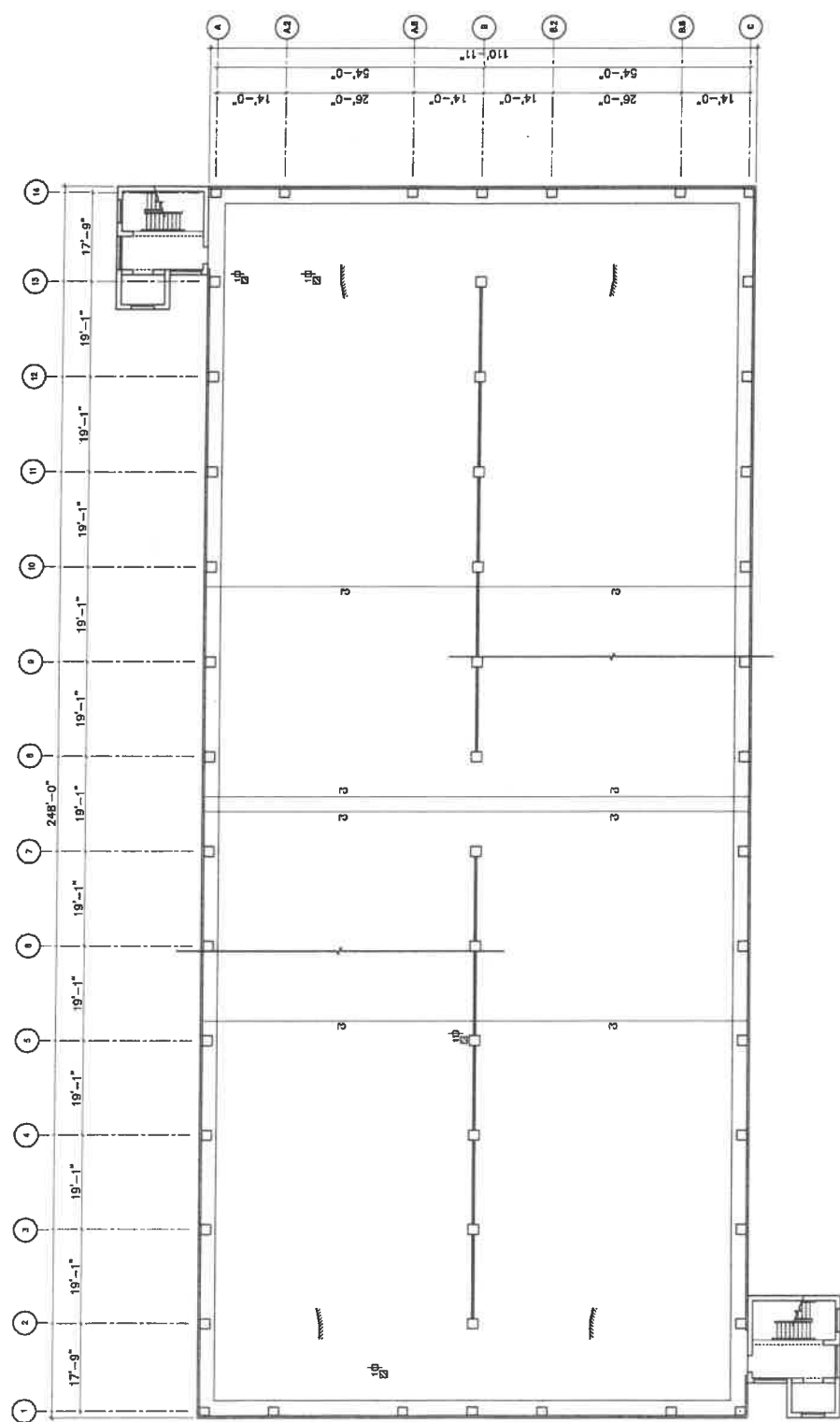
**NORTH  
 PARKING  
 STRUCTURE**  
 Great Falls, Michigan

PROJECT NO.	2011-2011-2011-2011
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BY	JDE
CHECKED BY	JDE
DATE	01/11/11
COMPILED BY	JDE
DATE	01/11/11
CONTRACT NO.	
CONTRACT DATE	
CONTRACT DESCRIPTION	
CONTRACT VALUE	
CONTRACT TYPE	
CONTRACT STATUS	
CONTRACT LOCATION	
CONTRACT OWNER	
CONTRACT AGENT	
CONTRACT ADDRESS	
CONTRACT PHONE	
CONTRACT FAX	
CONTRACT EMAIL	
CONTRACT WEBSITE	
CONTRACT NOTES	

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**APPENDIX B  
 LEVEL 6 PLAN**

**B6**



**LEVEL 6 PLAN**  
 3/32"=1'-0"

**LEGEND**  
 ▨ - TOP OF SLAB DECAIMATION

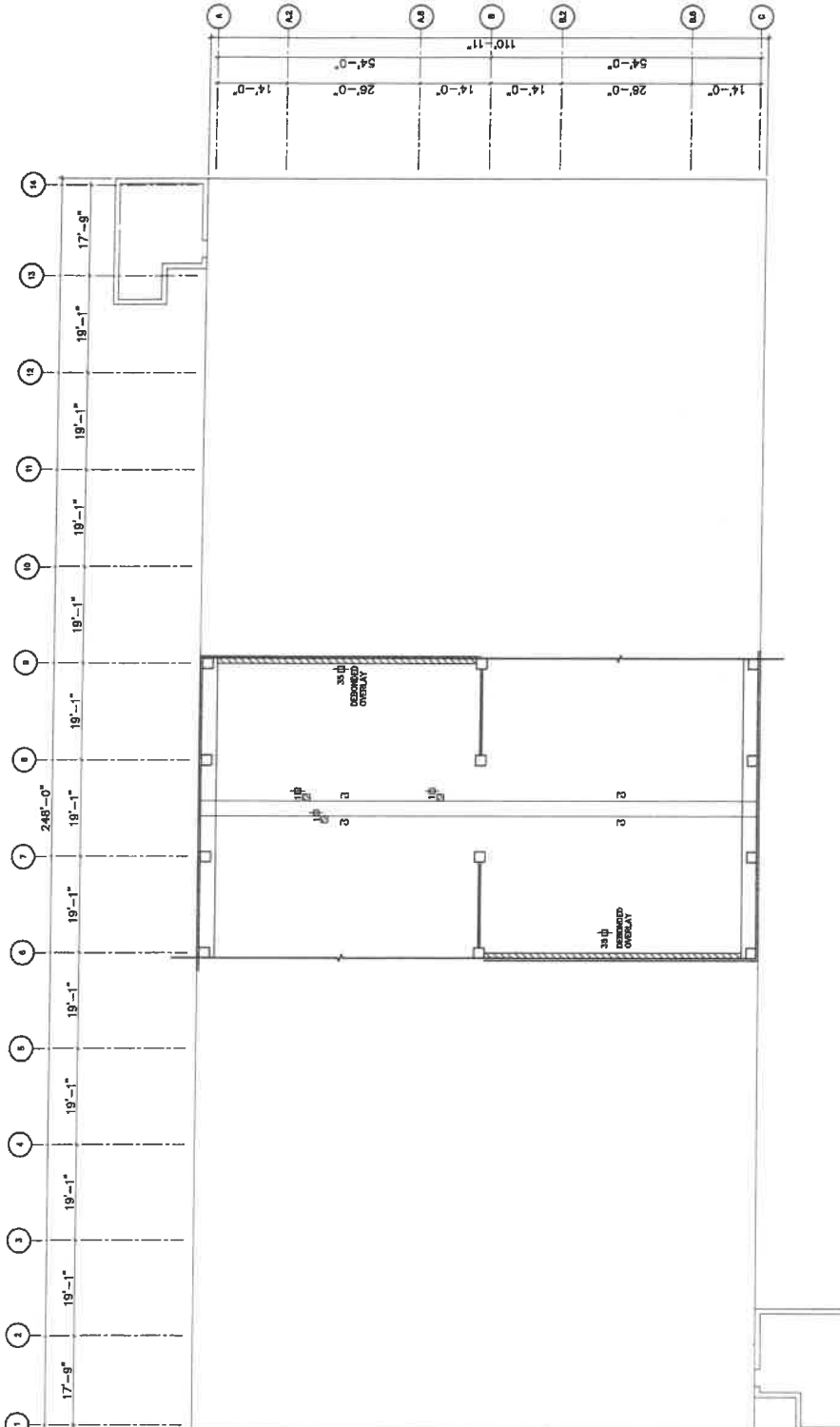
**NORTH  
 PARKING  
 STRUCTURE**  
 Great Falls, Michigan

DATE	DESCRIPTION

PROJECT NO. 2011-447-PI07  
 DATE: 04/27/12  
 DRAWN BY: J.R. HARRIS  
 CHECKED BY: J.R. HARRIS  
 TITLE: LEVEL 7 PLAN

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**APPENDIX B  
 LEVEL 7 PLAN**  
 B7



**LEVEL 7 PLAN**  
 3/25'-1'-0"

**LEGEND**  

 = TOP OF SLAB DELINEATION

C:\Users\jrharris\Documents\Projects\2011\2011-447-PI07\Level 7 Plan.dwg (Rev. 04/27/12)



# South Parking Structure



Engineering  
Condition  
Appraisal

Great Falls, MT

**Carl  
Walker**

5136 Lovers Lane  
Suite 200  
Kalamazoo, MI 49002

Project No. R1-2011-547  
April 11, 2012  
DRAFT

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- I. INTRODUCTION
- II. STRUCTURE DESCRIPTION
- III. DOCUMENT REVIEW
- IV. GENERAL CONDITION REVIEW
- V. LIGHTING SURVEY
- VI. DISCUSSION & RECOMMENDATIONS
- VII. COST ESTIMATE
- VIII. LIMITATIONS

### APPENDICES

- A. GLOSSARY OF RESTORATION CONCEPTS
- B. CONCRETE DELAMINATION SURVEY



## I. INTRODUCTION

In accordance with our proposal, **Carl Walker, Inc.** has completed an Engineering Condition Appraisal of the South Parking Structure in Great Falls, Montana. The primary objectives of this assessment were to assess the general condition of the structure, identify items requiring repair, maintenance, and/or protection; and provide an estimate of preliminary construction costs for the recommended repairs prioritized into Near-term (within 5 years), Mid-term (6-10 years), and Long-term (11-20 years).

As part of this assessment, **Carl Walker, Inc.** completed a visual review of the structure, chain drag survey of the supported floors, light level readings, and conformance of the facility with current ADA standards.

## II. STRUCTURE DESCRIPTION

The South Parking Structure was constructed in 2000, and is located at the northwest corner of 1<sup>st</sup> Avenue South and 4<sup>th</sup> Street South. The parking structure consists of three supported levels and a slab-on-grade level and provides parking for approximately 311 vehicles.

The overall footprint of the parking structure is approximately 124 feet in the north/south direction and 285 feet in the east/west direction. A typical level is approximately 35,300 square feet and the total supported floor area for the structure is approximately 78,000 square feet. The slab-on-grade floor area is approximately 25,000 square feet.

The structure is a two-bay, single-threaded helix with two-way traffic. The structural system consists of 12 foot wide precast prestressed concrete double tees supported on precast spandrels, light walls, inverted tee beams, and columns. Typically, the double tees have a nominal 3 inch thick cast-in-place concrete topping, providing the wearing surface and adding to the structural capacity. The concrete topping is reinforced with wire mesh.

## III. DOCUMENT REVIEW

The documents available for our review are the following:

### Original Design Drawings

The original design drawings dated 4/16/2000 were available for review. The structure was designed by CTA Architects/Engineers of Great Falls, Montana and **Carl Walker, Inc.** of Denver, Colorado. The following items were noted on the drawings:

- The parking structure was designed for a uniform live load of 50 psf. The stairs, landings and lobbies were designed for a uniform live load of 100 psf.
- The minimum compressive strength for the precast concrete was specified to be 5,000 psi.
- The precast concrete and cast-in-place floor topping were specified to have an air content of 6.5%.



- The minimum compressive strength of the cast-in-place topping was specified to be 4,000 psi.
- The concrete cover for the reinforcement in the cast-in-place topping was specified to be 2".

#### IV. GENERAL CONDITION REVIEW

On March 9 and 10, 2012, **Carl Walker, Inc.** completed a review of the South Parking Structure. The review included a chain drag survey of the supported floors as well as a visual examination of floor and ceiling surfaces, structural elements including their supports, and stairwells, for the purpose of assessing the current condition and locate areas of deterioration and/or deficiencies. The following is a summary of our observations.

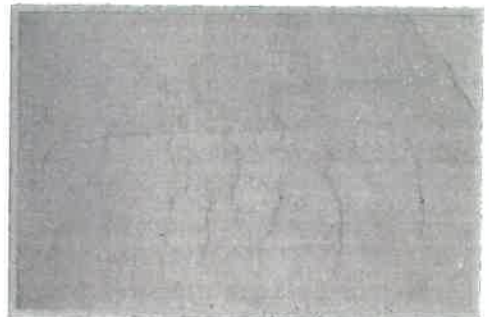
##### Floor Slabs

To assess the condition of the floor slabs we performed a chain drag of the supported floor areas. Dragging a chain across a delaminated or debonded area results in a distinctive hollow sound. De-bonded topping concrete from the underlying precast tees also results in a hollow sound, however, thus de-bonded topping can sometimes be difficult to distinguish.

A "delamination" is a horizontal fracture beneath the concrete surface that is generally caused by corrosion of the embedded steel reinforcement and/or connections. Rust, which is the byproduct of the corrosion process, has a volume several times that of the original steel. The volume change created by corrosion generates pressures on the surrounding concrete that eventually becomes sufficient to cause internal fracturing of the concrete and the loss of bond of the corroded reinforcing steel with the surrounding concrete.

In general, the cast-in-place concrete topping is in good condition. The chain drag survey indicated that the cast-in-place concrete topping delaminations/de-bonding are mostly located at tee-to-tee shear connectors, at the cast-in-place pour strips, or near the columns. Delaminations/de-bonding totaled approximately 120 square feet. The delaminated areas typically range in size from 1 square foot to 8 square feet.

A significant amount of shrinkage cracks were observed in the concrete topping at the west end of Level 3. It appears that the concrete topping was poorly finished and/or not cured properly during original construction.





Cracks were observed in the cast-in-place topping at each of the crossovers. The cracks are located directly over top of and parallel with the inverted tee beams below.



### Ceilings

To assess the condition of the ceiling (or underside of the precast double tees) we performed a visual survey of all areas. The ceilings appear to be in excellent condition with no tee flange or tee stem delaminations observed. The underside of the precast double tees at Level 2 (Level 1 ceiling) are stained white.



### Beams

Precast inverted tee beams support the double tees at the crossovers. The precast inverted tee beams appear to be in excellent condition. No beam delaminations were observed.



### Columns

The precast concrete columns appear to be in excellent condition. No column delaminations were observed.

### Walls

Precast light walls support the double tees at the interior grid line. The precast light walls are in good condition with approximately 10 square feet of wall delaminations observed. The wall delaminations were observed at the exposed roof level.

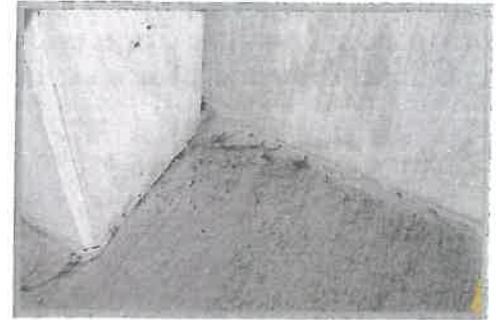
### Spandrels

Precast spandrels support the double tees at the exterior grid lines. The precast spandrels are in good condition. Failed grout was observed within the pockets for the lifting hooks at the top of the precast spandrels.



## Sealants

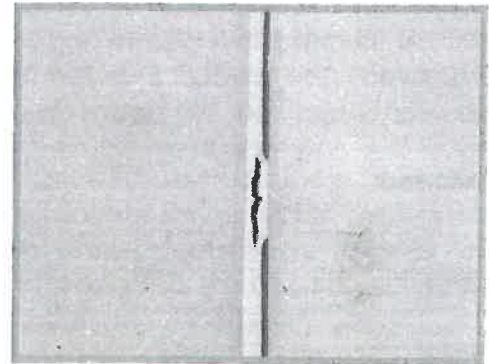
It is our understanding that all of the tee to tee control joint sealants were replaced approximately 2 years ago. The joint sealants appear to be in fair to good condition with isolated locations of failed sealants observed. The typical service life of joint sealant is 8 to 10 years.



Cove sealants are installed at the perimeter of the structure at the cast-in-place topping/precast spandrel interface and at the interior of the structure at the cast-in-place topping/precast light wall interface. The cove sealants appear to be in poor to fair condition.



The exterior façade consists of precast concrete spandrels. The joint sealants between the precast spandrels at the exterior of the structure are showing signs of wear and are near the end of their useful service life.

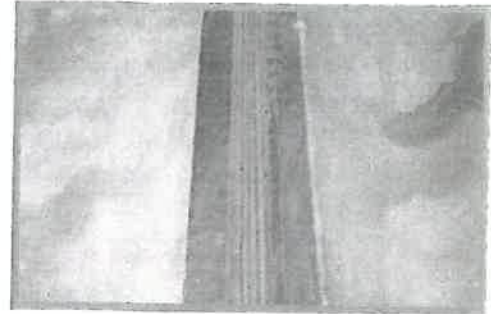


Deterioration of the mortar joint between the stair tower and the elevator tower was observed at the northeast stairwell. It appears that the deterioration is caused by the movement between the stair tower and elevator tower.



### Expansion Joints

There is one expansion joint in this structure. The expansion joint is installed at Level 1 between slab-on-grade and the supported precast double tees. The expansion joint consists of a winged seal with an elastomeric concrete nosing and appears to be in excellent condition.



### Surface Treatments

It is our understanding that a concrete sealer was applied to all supported floor surfaces of this parking structure approximately 2 years ago. There is no deck coating (traffic bearing membrane) installed in this structure. A 100% silane sealer should be reapplied approximately every 8 to 10 years.

### Mechanical

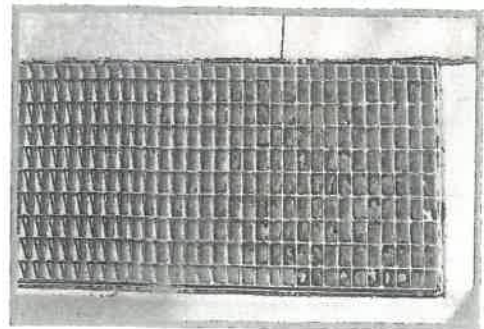
The storm drainage system appears to be in good condition. Floor drains are located along the interior column line at the top and bottom of the sloped bays, and at the middle and each end of the flat bays. The floor drains appear to be in good condition. Light surface corrosion was observed at the bottom of a few of the floor drain basins.



The storm drainage piping consists of cast iron piping. The storm drainage piping is in good condition overall. Damaged storm piping was observed at the drain line for the roof drain at the south stair tower.



Debris was observed in the trench drains at both of the entrance/exits at grade level. Leaves and other debris is beginning to accumulate in the trench drains and may cause the drain outlet to become plugged.

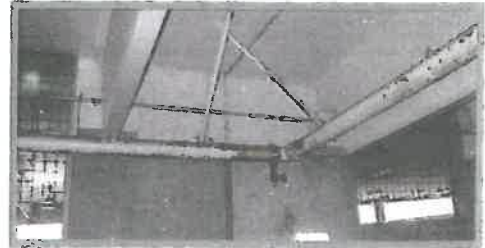




Based on conversations with the facility manager, there is a ponding issue right in front of the door for the south stair tower at Level 3. The ponding water creates a slipping hazard during the winter months.

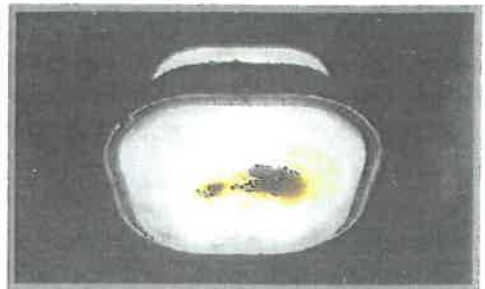


Corrosion was observed on the fire suppression piping at Level 1.



### Electrical

The lighting system consists of metal halide light fixtures serviced by exposed metal conduit. Typically the light fixtures are spaced two per column bay. The light fixtures are typically located at the back of the parking stalls. Dirty lenses were observed on some of the light fixtures which reduces the light level output. A few of light fixtures were not functioning during our evaluation, most like due to deteriorated bulbs.



Low light levels were observed at the roof level. For additional information refer to Section V – Lighting Survey.



### Stair Towers

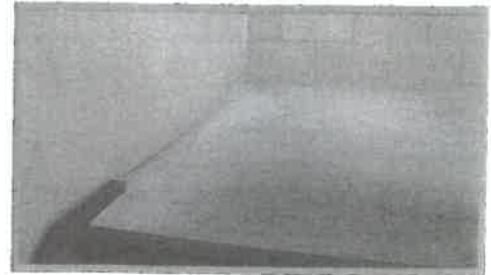
Stair towers are located at the northeast corner, near the northwest corner and at the south side of the structure. The northeast stair tower contains an elevator which is the only elevator in the structure. The stairwell consists of metal pans with concrete infill supported by structural steel stringers. The stair towers are in good condition.

The bottom of the door hits the concrete landing at Level 2 of the south stair which prevents the door from fully opening.

The glass window at Level 3 of the northeast stair is cracked.



No cove sealants were observed in the stair towers. The installation of cove sealants would help protect the metal pans from moisture and chloride related deterioration.



Damage was observed on the canopy at the north elevation of the northwest stair at grade level. It appears the canopy was hit by a vehicle. The damage appears to be limited to the metal fascia and soffit.



## ADA

The following is a summary of the ADA requirements for accessible parking spaces:

- When 301 to 400 parking spaces are provided there must be a minimum of 8 accessible spaces.
- One in every eight accessible spaces must be designated as "van accessible".
- Van accessible spaces must be serviced by an access aisle that is a minimum of 8 feet wide.
- Accessible spaces must be serviced by an access aisle that is a minimum of 5 feet wide.

There are approximately 11 accessible spaces provided throughout the structure. Accessible spaces are provided at Level 1 and near the northeast stair tower at Levels 2 and 3. There are 3 van accessible spaces provided at Level 1. A few of the accessible spaces near the southwest end of Level 1 do not have a 5 foot wide access aisle.



## Miscellaneous Features

Several miscellaneous features of the parking structure were observed including the pavement markings, way finding graphics & signage, vehicle & pedestrian barriers, revenue control equipment, security/safety, miscellaneous steel, and pigeons.

Pavement Markings: The pavement markings are starting to wear. Reapplication of the pavement markings is generally required every 3 to 5 years.



Way finding Graphics & Signage: The way finding graphics and signage throughout the structure provides adequate direction for the users. Each level is clearly marked and there is adequate signage at each level directing users where to go to park or to exit the structure.



Vehicle/Pedestrian Barriers: The vehicle and pedestrian barrier consists of precast spandrels at the perimeter of the structure. The height of the precast spandrel from the top of the cast-in-place topping to the top of the spandrel appears to be approximately 42 inches. The minimum requirement per the current code is 42 inches.



The vehicle and pedestrian barrier at the interior grid line consists of precast light walls with mesh infill panels.



Revenue Control Equipment: The revenue control equipment consists of Amano card readers and Federal APD gate arms. The revenue control equipment appears to be functioning properly. It is our understanding that the South Parking Structure primarily services monthly parkers.



Security/Safety: The overall security/safety perception of the parking structure is generally good during daylight. The stair towers are well lit and the structure has adequate openness. The exits are clearly marked with exit signs. Security cameras were observed inside the stair towers at Level 1 and at inside the parking structure at Level 1 near grid lines B-3, B-4, and B-11. Fire alarms were observed throughout the structure.

The roof level of the parking structure is very dark during the night time especially at the northeast stair tower. The dark areas decrease the safety perception of the structure.



Intercoms are provided at each level within the stair towers, but there is no signage to identify them. It is our understanding that the intercoms and cameras are connected to the office at Level 1 near the southwest end of the structure, however there is usually no one in the office which creates a potential security/safety issue.



Miscellaneous Steel:

Light corrosion was observed on a few of the steel precast connections and some of the mesh panels in the precast light walls. Plates are installed at the precast column/spandrel connections and therefore we not able to be reviewed.



Pigeons:

Significant pigeon issues were observed at the metal roof at the west end of Level 3. Metal spikes have been used at some locations to help control the pigeons. The pigeons create potential health issues.



## V. LIGHTING SURVEY

**Carl Walker, Inc.** performed limited light measurements using a Minolta T-1 illuminance meter in areas that we considered to be exhibiting typical light levels for the structure. In the following paragraphs, we have shown the light levels recommended by Illuminating Engineering Society (IES) and the measured light levels for this structure.

The light fixtures are typically spaced at two per column bay. The light fixtures are typically located at the back of the parking stalls. The lighting system consists of metal halide light fixtures. The lighting system is serviced by exposed conduit.

The following horizontal light levels, in foot candles (fc), are average light levels recommended by IES for covered parking structures. Horizontal light levels are measured on the floor.

	Min. Horizontal (fc)	Uniformity Ratio
General parking and pedestrian areas	1	10:1
Ramps and corners	2	10:1
Entrance areas and Stairways	2	10:1

We measured horizontal light levels at three locations within the structure. The first location is at Level 1 between column lines '7' and '10' and columns lines 'B' and 'C'. The second location is at Level 2 between column lines '4' and '7' and columns lines 'A' and 'B'. The third location is at Level 3 (roof level) between column lines '8' and '10' and columns lines 'B' and 'C'. At the time of our measurements, no spaces were occupied and all surrounding lights were functioning. The results from the light level readings are provided below.

	Average	Minimum	Maximum	Max./Min.
Level 1	2.98	1.30	6.20	4.77:1
Level 2	3.60	1.00	9.20	9.20:1
Level 3	0.40	0.10	1.00	10.00:1

The minimum and average light measurements are greater than the Illuminating Energy Society's (IES) recommendation of one foot-candle at Level 1 and the minimum light measurement is right at the IES minimum of 1.0 fc at Level 2. The minimum and average light measurements are below the IES minimum at Level 3. IES recommends a maximum/minimum horizontal uniformity ratio of 10:1 or less. The uniformity ratio at the location of the light survey was 4.77:1 at Level 1 and 9.20:1 at Level 2, which complies with the IES recommendation.





## VI. DISCUSSION AND RECOMMENDATIONS

*Carl Walker, Inc.* performed a condition survey of the City of Great Falls South Parking Structure to identify deterioration and damage. Based on this review, we prepared preliminary recommendations for a repair program that are most appropriate to maintain the structural integrity and prolong the service life of the structure.

We recommend that an engineer perform design services for the recommended repairs, as well as perform construction monitoring services during construction to review their implementation and allow for recommendation and design of any additional repairs resulting from unforeseen conditions that were concealed prior to construction. We recommend the following:

### CONCRETE

**C1 – Top of Slab Repair:** Remove delaminated concrete, clean and coat of the embedded reinforcement, and install a new high quality concrete repair mortar.

**C2 – Grout Pocket Repair:** Remove the deteriorated grout from the lifting pockets and install a sand/sealant mixture to protect the concrete and embedded steel lifting hooks and reinforcement.

**C3 – Wall Repair:** Remove the delaminated concrete, clean and coat the embedded reinforcement, and install a new high quality concrete repair mortar.

### WATERPROOFING

**W1 – Rout & Seal Cracks:** Routing and seal the cracks in the concrete slab to help prevent the infiltration of moisture and chlorides.

**W2 – Remove & Replace Failed Sealant at Control Joints:** Remove and replace all failed sealants at the control joints to help prevent the infiltration of moisture and chlorides.

**W3 – Remove & Replace Cove Sealant:** Remove and replace the sealants at all cove joints to help prevent the infiltration of moisture and chlorides.

**W4 – Remove Mortar Joint & Replace with Sealant:** Remove the deteriorated mortar at the northeast stair tower and install sealant to accommodate the movement at this joint.

**W5 – Remove & Replace P/C Spandrel Sealants:** Remove the existing sealants between the precast spandrels and replace them with silicone sealant.

**W6 – Install Deck Coating at Crossovers:** Install a 6 foot wide strip of deck coating at all crossovers to help protect the embedded reinforcing steel.

When deck coatings are applied to existing slabs, continued corrosion of the embedded reinforcing steel and subsequent spalling of the concrete surface may continue, however, at a much-reduced rate. The application of deck coatings will reduce the infiltration of moisture and chloride, which will subsequently reduce the rate of corrosion of the reinforcing steel as well as increase the life of the concrete repairs and the sealants.



**W7 – Remove & Replace Sealant at Control Joints:** The expected service life of joint sealants is 8 to 10 years. We understand that the joint sealants were replaced 2 years ago. Therefore we recommend removing and replacing all of the control joint sealants in the Mid-Term (6-10 years) to help prevent the infiltration of moisture and chlorides.

**W8 – Install Concrete Sealer:** A 100% silane sealer should be re-applied approximately every 8 to 10 years, therefore we recommend the installation of a clear water repellent concrete sealer at all supported slab surfaces in the Mid-Term (6-10 years). The concrete sealer will help prevent the infiltration of moisture and chlorides. The date of the last concrete sealer application was approximately 2 years ago.

**W9 – Install Deck Coating at West End of Level 3:** We recommend installing a deck coating at the west end of Level 3 where a large number of shrinkage cracks were observed. The deck coating will bridge small/hairline cracks. The larger cracks should be routed and sealed.

## MECHANICAL

**ME1 – Clean & Paint Floor Drain Basin:** Clean and paint all corroded floor drain basins to help protect them from further corrosion.

**ME2 – Replace Damaged Storm Piping:** Replace the damaged storm piping from the south stair tower roof to Level 3.

**ME3 – Clean Trench Drains:** Remove all dirt/debris from the trench drains several times each year. The cost for this work is not included in our Cost Estimate as we consider this to be part of regular maintenance and not repair or capital improvements.

**ME4 – Install Supplemental Floor Drain:** Install a supplemental floor drain near the doorway to the south stair tower at Level 3 to eliminate the ponding water and potential slip hazard. The supplemental floor drain should be connected to the existing storm drainage system.

**ME5 – Clean & Paint Fire Suppression Piping:** Clean and paint the fire suppression piping to help protect it from further corrosion.

## ELECTRICAL

**E1 – Add Light Fixtures to Improve Lighting:** Add light fixtures and/or upgrade the existing light fixture at the roof level to meet recommended IES light levels.

**E2 – Upgrade Lighting:** Consider removing the existing metal halide light fixtures and replacing them with new state of the art light fixtures that are more energy efficient. We have provided an estimated cost for lighting replacement in the 6 to 10 year range.

## STAIR TOWERS

**S1 – Grind Concrete to Improve Door Operation:** Grind the concrete at Level 2 of the south stair tower to allow the door to fully open.



**S2 – Replace Damaged Window:** Replace the damaged glass window at Level 3 of the northeast stair tower.

**S3 – Install Cove Sealant in Stair Towers:** Install cove sealant at all stair towers to protect the underlying concrete and structural steel.

**S4 – Canopy Repair:** Repair the damaged metal fascia and soffit at the canopy at the northwest stair.

## MISCELLANEOUS

**M1 – Repaint Pavement Markings:** Repaint the pavement markings at all levels every 3 to 5 years. Access aisles should be provided at all accessible spaces when the pavement markings are repainted.

**M2 – Clean & Paint Miscellaneous Steel:** Clean and paint all corroded steel precast connections and mesh infill panels to protect them from further corrosion.

**M3 – Pigeon Control:** Install bird netting at the metal roof canopy at the west end of Level 3 to prevent pigeons from roosting in this area.

**M4 – Connect Security Equipment to North Parking Structure:** Connect the intercoms and cameras in the South Parking Structure to the office in the North Parking Structure to improve safety/security.

**M5 – Revenue Control Equipment:** Typically the useful life of Parking Access and Revenue Control System (PARCS) equipment is seven to ten years. If the PARCS equipment is original to the structure it is probably near the end of its useful life.

The equipment appears to be adequate for this structure since it is primarily used for monthly parking. If the City of Great Falls decides to change how this structure is used then new PARCS equipment would be beneficial. The cost for new equipment varies greatly depending on how the structure is operated (cashier, pay-on-foot, pay-in-lane, etc.).

## FUTURE EVALUATIONS AND TESTING

**Periodic Evaluation:** A periodic updated evaluation is recommended every 3 to 5 years.

**Chloride Ion Analysis:** Before applying the silane sealer to the deck and during the next evaluation, remove concrete dust samples for chloride ion analysis to develop a slab depth/chloride-ion profile in the parking structure. This information will be useful in providing insight as to the long-term durability and expected service life of the parking structure and repairs, as well as determining the appropriate concrete protection system to be installed (e.g. silane sealer vs. traffic-bearing deck membrane). Follow-up testing is recommended every 3 to 5 years to monitor the progression of chloride contamination in the concrete.

**Review Precast Column Connections:** During the next garage evaluation, remove the metal plates at the columns and inspect the spandrel/column connections. The inspection should be performed by a qualified engineer.



## COST ESTIMATE

We have prepared an opinion of cost for the recommended repairs for the City of Great Falls South Parking Structure to assist you with developing a budget for implementing the repairs. The repairs have been prioritized into three categories; Near-Term (within 5 years), Mid-Term (6 to 10 years), and Long-Term (11 to 20 years). Costs are in 2012 dollars and are not factored for inflation.

### Cost Estimate

Work Item	Unit	Estimated Quantity	Unit Cost	Cost			
				Near-Term (0-5 years)	Mid-Term (6-10 years)	Long-Term (11-20 years)	
<b>CONCRETE</b>							
C1	Top of Slab Repair	S.F.	125	\$40.00	\$5,000.00	\$6,500.00	\$15,000.00
C2	Grout Pocket Repair	EA.	70	\$20.00	\$1,400.00		\$1,000.00
C3	Wall Repair	S.F.	10	\$100.00	\$1,000.00	\$1,500.00	\$3,000.00
<b>WATERPROOFING</b>							
W1	Rout & Seal Cracks	L.F.	800	\$5.00	\$4,000.00		\$5,000.00
W2	Remove & Replace Failed Sealant at Control Joints	L.F.	100	\$5.00	\$500.00		\$500.00
W3	Remove & Replace Cove Sealant	L.F.	3,300	\$4.00	\$13,200.00		\$13,200.00
W4	Remove Mortar Joint & Replace with Sealant	L.F.	20	\$20.00	\$400.00		\$400.00
W5	Remove & Replace P/C Spandrel Sealants	L.F.	900	\$8.00		\$7,200.00	
W6	Install Deck Coating at Crossovers	S.F.	1,200	\$4.00	\$4,800.00		\$4,800.00
W7	Remove & Replace Sealant at Control Joints	L.F.	6,200	\$4.00		\$24,800.00	\$24,800.00
W8	Install Concrete Sealer	S.F.	82,000	\$0.50		\$41,000.00	\$41,000.00
W9	Install Deck Coating at West End of Level 3	S.F.	6,000	\$4.00		\$24,000.00	\$15,000.00
<b>MECHANICAL</b>							
ME1	Clean & Paint Floor Drain Basin	EA.	2	\$250.00	\$500.00	\$500.00	\$1,000.00
ME2	Replace Damaged Storm Piping	L.F.	8	\$50.00	\$400.00		
ME4a	Install Supplemental Floor Drain	EA.	1	\$2,000.00	\$2,000.00		
ME4b	Install Supplemental Floor Drain Piping	L.F.	120	\$50.00	\$6,000.00		
ME5	Clean & Paint Fire Suppression Piping	L.S.	1	\$300.00	\$300.00	\$300.00	\$600.00
<b>ELECTRICAL</b>							
E1	Add Light Fixtures to Improve Lighting	L.S.	1	\$25,000.00	\$25,000.00		
E2	Upgrade Lighting	L.S.	1	\$100,000.00		\$100,000.00	
<b>STAIR TOWERS</b>							
S1	Grind Concrete to Improve Door Operation	L.S.	1	\$300.00	\$300.00		
S2	Replace Damaged Window	EA.	1	\$500.00	\$500.00		
S3	Install Cove Sealant in Stair Towers	L.F.	800	\$4.00		\$3,200.00	
S4	Canopy Repair	L.S.	1	\$1,000.00	\$1,000.00		
<b>MISCELLANEOUS</b>							
M1	Repaint Pavement Markings	L.S.	1	\$4,000.00	\$4,000.00	\$4,000.00	\$8,000.00
M2	Clean & Paint Miscellaneous Steel	L.S.	1	\$10,000.00		\$10,000.00	\$10,000.00
M3	Pigeon Control	L.S.	1	\$15,000.00	\$15,000.00		
M4	Connect Security Equip. to N. Parking Structure	L.S.	1	\$1,000.00	\$1,000.00		
<b>Total</b>					\$86,300.00	\$223,000.00	\$143,300.00
Construction Mobilization & General Conditions (15%)					\$13,000.00	\$33,500.00	\$21,500.00
Construction Contingency (15%)					\$14,900.00	\$38,500.00	\$24,800.00
<b>Total Construction Budget</b>					<b>\$114,000.00</b>	<b>\$295,000.00</b>	<b>\$190,000.00</b>
Engineering and Testing (Design, Const. Observation, Evaluations, etc.)					\$21,000.00	\$40,000.00	\$40,000.00
<b>Total Project Budget</b>					<b>\$135,000.00</b>	<b>\$335,000.00</b>	<b>\$230,000.00</b>



## VII. LIMITATIONS

The recommended restoration and protection of the parking structure can be performed and the rate of further deterioration reduced. However, we cannot guarantee that further deterioration will not take place with continued service-related exposure. Effective ongoing maintenance can significantly reduce long-term maintenance costs. Monitoring of the parking structure can assist in scheduling future maintenance.

Specific repair procedures are not part of this evaluation. This report defines items in need of repair and presents conceptual procedures. Construction Documents are required to address all aspects of materials selection and methods for repair of the parking structure. Repair cost projections are based on deterioration quantities identified during our review. Quantities and costs are not intended to define a guaranteed maximum cost, and variations in final quantities should be anticipated.

The evaluation and restoration of existing structures require that certain assumptions be made regarding existing conditions. Since some of these assumptions may not be confirmed without expending additional sums of money and/or destroying otherwise adequate or serviceable portions of the building, **Carl Walker, Inc.** cannot be held responsible for latent deficiencies which may exist in the structure, but which have not been discovered within the scope of this evaluation.



**APPENDIX A**  
**GLOSSARY OF RESTORATION CONCEPTS**

## **APPENDIX A - GLOSSARY OF RESTORATION CONCEPTS**

### **Introduction**

Concrete deterioration is generally evident by cracking, delamination, spalling, scaling, and leaching. These signs of distress and the associated corrosion of embedded steel are the most common deterioration problems of concrete parking structures. The figures provided in this Appendix are from the "Parking Garage Maintenance Manual" by the National Parking Association.

### **Corrosion of Reinforcing Steel**

Concrete provides a very alkaline environment (pH from 12 to 13.5) which normally protects embedded steel from corrosion. The intrusion of chlorides into the concrete around embedded steel upsets this alkaline condition and corrosion is likely to proceed if moisture and oxygen are available to support the process.

The chlorides normally enter the concrete from deicing salt solutions permeating through the hardened concrete from the top surface. The chloride concentrations therefore are highest at the surface and reduce with the depth below the surface, as shown in Figure A1. Figure A1 also shows the effect of concrete quality on chloride penetration.

There are two methods of testing for chloride content of concrete. One method is to test for water soluble chlorides per FHWA-RD-77-85, and is the test method recommended for the future evaluations of the South Parking Structure. Another method is for acid soluble chlorides (ASTM C114). The acid soluble method was not used because it will indicate not only free chloride ions which contribute to corrosion, but also those which have formed chemical compounds during cement hydration and do not contribute. It is estimated that about half of chlorides which are added at the time of mixing will be so combined.

Calcium chloride and other chlorides containing admixtures are frequently added to concrete during batching, especially during cold weather. As more has become known about the effect on corrosion, this practice of adding chlorides has been greatly curtailed, and is now usually prohibited in parking structures.

The chloride content above which corrosion is likely to occur is called the "threshold level." While there is some difference in opinion, we have established a range of 0.03 to 0.04 percent by weight of concrete as the threshold level for parking structures. This corresponds to approximately 1 to 1.5 pounds per cubic yard or 300 to 400 parts per million as shown in Figure A1.

Metallic corrosion is a dynamic electro-chemical process and induces progressive deterioration. Corrosion by-products (rust) occupy a volume several times that of the parent metal. This expansion causes high tensile stresses which crack and separate ("delaminate") the surrounding concrete. Initial cracking can occur when section loss of the parent metal is five percent or less. Cracks first appear vertically over the reinforcement nearest the exposed surface. These cracks allow direct access of moisture and additional chloride to the reinforcement, causing accelerated corrosion and subsequent delamination.

The impact that corrosion has on a structural member is variable. Three things happen, all of which are detrimental to the structural integrity:

- Surface spalling occurs, causing maintenance and serviceability problems.
- The reinforcement loses significant cross section and strength which causes increase in stress redistribution throughout the remaining reinforcement.
- The reinforcement debonds from the concrete, causing loss of monolithic interaction thus, inability of the reinforcement to carry any forces.

The progressive movement of concrete is a result of corrosion-induced jacking. It is also typical that concrete cross section loss, in addition to reduction in reinforcement area, impairs the load-carrying capacity of individual floor slab, beam and column systems.

The top and bottom reinforcement corrode similarly. Surface spalling near mid-span reduces the concrete section as a function of spall depth. Concrete section reduction at mid-span can significantly reduce the structural capacity of the concrete member. At the same time, severe corrosion of bottom reinforcement can result in its overstressing and possible yielding or failure.

### **Cracking**

Concrete cracking is caused by tensile stresses. These stresses may be due to load, as a flexural member, or other causes such as shrinkage or temperature drop. Some cracking is usually anticipated and the effects can be minimized by reinforcement or joints. Properly positioned reinforcement arrests crack development by keeping cracks short and tightly closed. Control joints are positioned to keep cracking only where it is planned. It is common practice to provide sealed crack control joints in concrete members when exposure to water is expected. Cracking can be detrimental when it occurs to an extent and frequency not expected. If abnormal or uncontrolled cracking develops, then steps are necessary to minimize the effect of cracking on long-term structure durability.

Uncontrolled construction cracking is usually caused by improper control joint detailing or concrete placement, insufficient consolidation, inadequate curing of the concrete, premature removal of form supports, or by plastic shrinkage of the concrete. Service-related cracking is usually due to temperature changes, load, settlement, or internal stress. Corrosion of reinforcing bars and aggregate chemical reaction are common causes of internal stress.

### **Delamination**

Concrete delamination usually results from the corrosion of reinforcing steel as shown in Figures A2 and A3. Delaminations often cannot be seen from the surface, and are located by sounding or with ultrasonic testing. The most common method is sounding with a hammer or steel chain. When a steel chain is dragged on a delamination a definite pitch change can be heard and the delamination sounds hollow. Delaminations will usually continue to crack and eventually become a spall.

### **Spalling**

Most concrete spalling associated with parking structures is the end result of corrosion-induced stress. Figures A2, A3, and A4 demonstrate this process. It is preceded by internal horizontal fractures (delamination) which eventually migrate from the steel to the nearest surface. When fractures reach the surface, the concrete breaks away leaving an open spall or pothole.



## **Scaling**

Concrete scaling deterioration attacks the mortar portion (paste) of the concrete mix. It first appears as minor flaking and disintegration of the concrete surface. Scaling eventually progresses deeper into the concrete, exposing aggregate which breaks away. This aggravates the process by exposing more paste to the elements. In extreme cases, apparently sound concrete can be reduced to a gravel-like condition in a short period of time. Figure A5 shows surface scaling deterioration.

Concrete scaling is usually caused by freeze-thaw action. If concrete is frozen in a saturated state, excess water freezing in the concrete causes high stress and weakens the mortar. Cyclic exposure to freeze-thaw action is very destructive to concrete in a saturated state. Deicing salt solutions accelerate the deterioration by increasing the number of freeze-thaw cycles and increasing the pore pressure.

Air entrained concrete is much more resistant to scaling than non-air entrained types. Air entrainment consists of microscopic air bubbles in the concrete. These bubbles, created by the addition of an admixture at the time of mixing, when properly sized and distributed, can act as small shock absorbers to cushion internal stresses caused by freezing and thawing.

## **Joint Deterioration**

The two most common methods for providing crack control or relief of restraint in concrete slabs are control joints and expansion joints. Joints on supported floor slabs in parking structures must be sealed against water leakage and intrusion of incompressible debris, both of which are damaging to the joint system.

Control joints deteriorate for reasons usually associated with failure of the sealant or failure of the adjacent concrete. Joint sealants which fail prematurely may not have the required degree of flexibility, bond strength, or durability for a particular application. If concrete adjacent to the joint is not sufficiently durable, then local scaling will cause joint sealant failure.

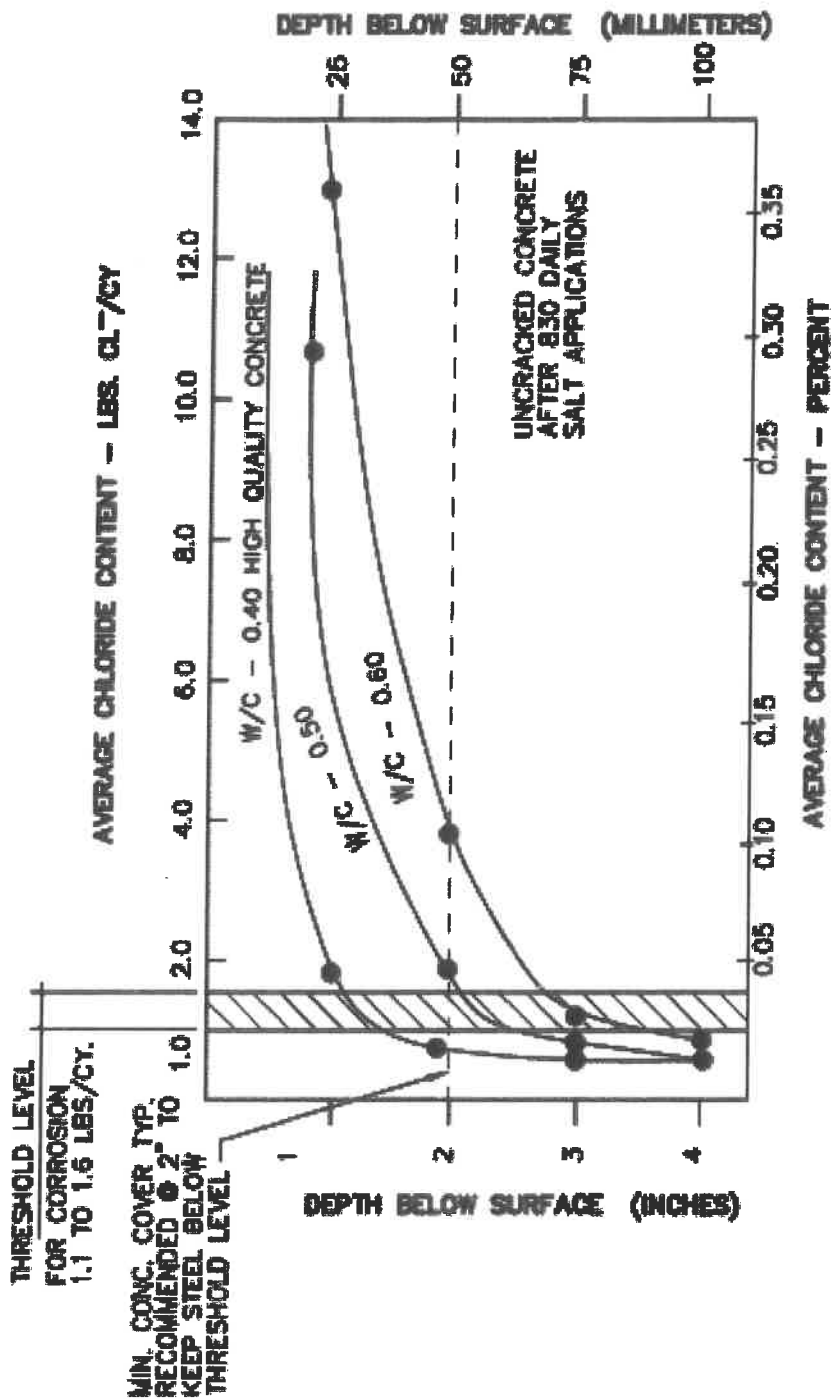
Expansion joint deterioration usually refers to the failure of the joint sealant system. The failure may be in the sealant materials or the adjacent concrete. Premature failures are most commonly associated with improper joint design, improper sealant material, incorrect installation, or in-service damage from traffic or snow plows.

## **Leaching**

Leaching is caused by frequent water migration through the floor slab or cracks. As water migrates through, it takes along part of the cementing constituents, depositing them as a white film, stain, or in extreme cases, stalactite on the ceiling below. This process eventually weakens the concrete and is accelerated by porous or perpetually moist concrete. Leaching frequently occurs along cracks, construction and control joints, beneath gutter lines, and around floor drains.

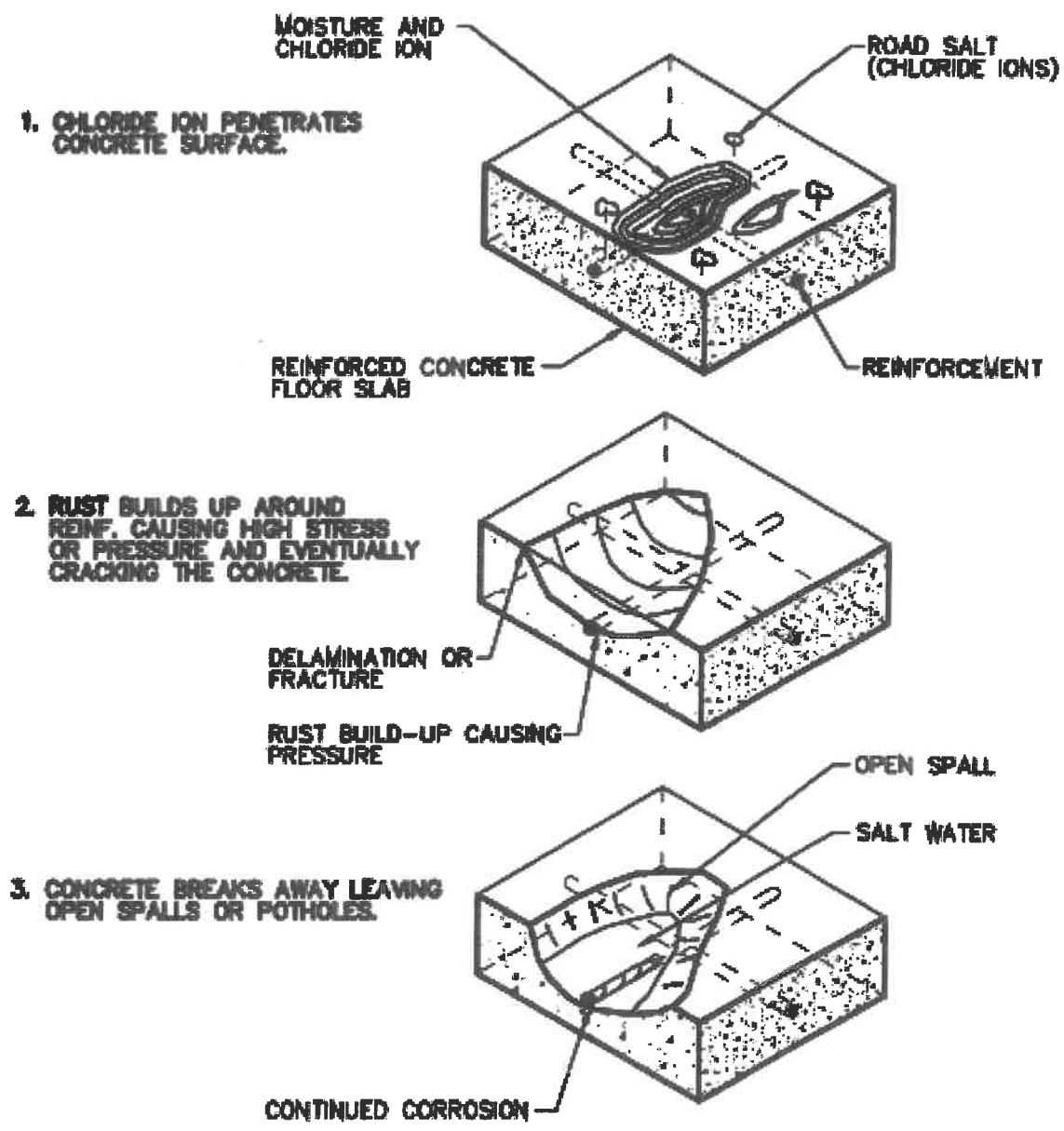
## **Surface Popouts**

Popouts in the concrete surface result from freezing of the coarse aggregate. Certain aggregates are porous and become saturated with water. Upon freezing, the water expands, fracturing the aggregate. A pit or spall up to several inches in diameter results on the concrete surface.

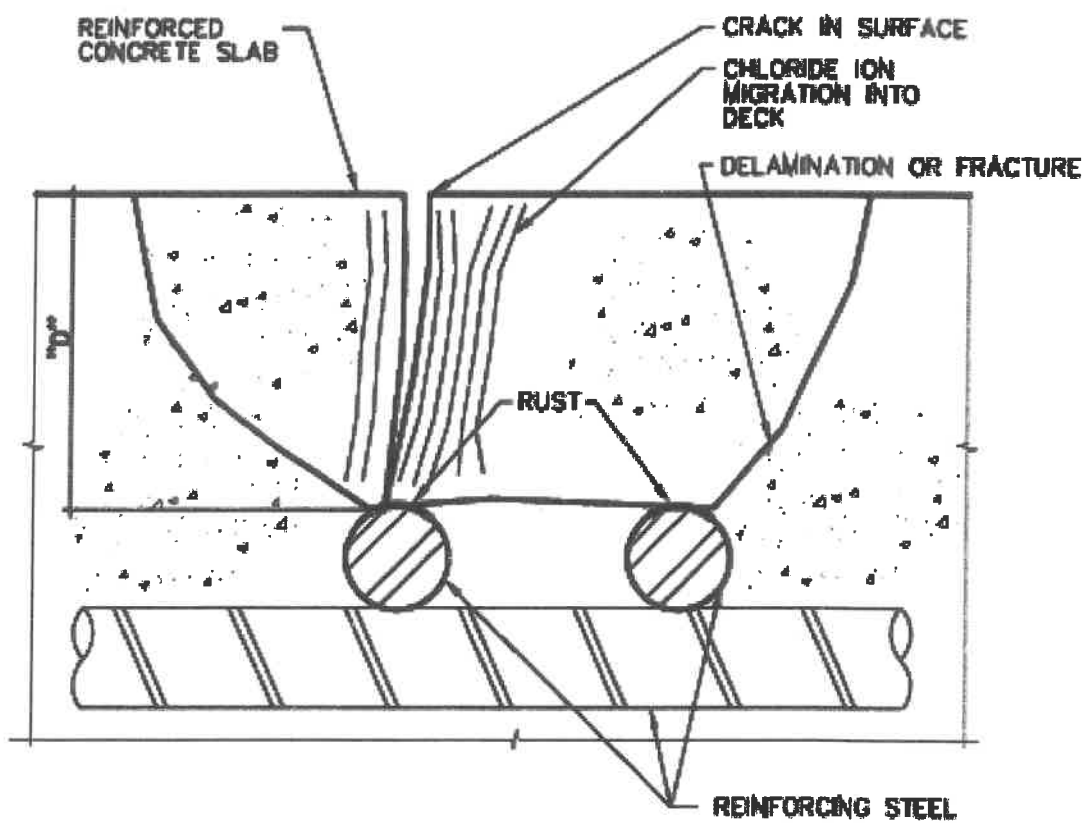


EFFECT OF WATER-CEMENT RATIO ON SALT PENETRATION  
(ADAPTED FROM ACI 222R)

FIGURE A-1  
CHLORIDE ION CONCENTRATION VS DEPTH BELOW SURFACE

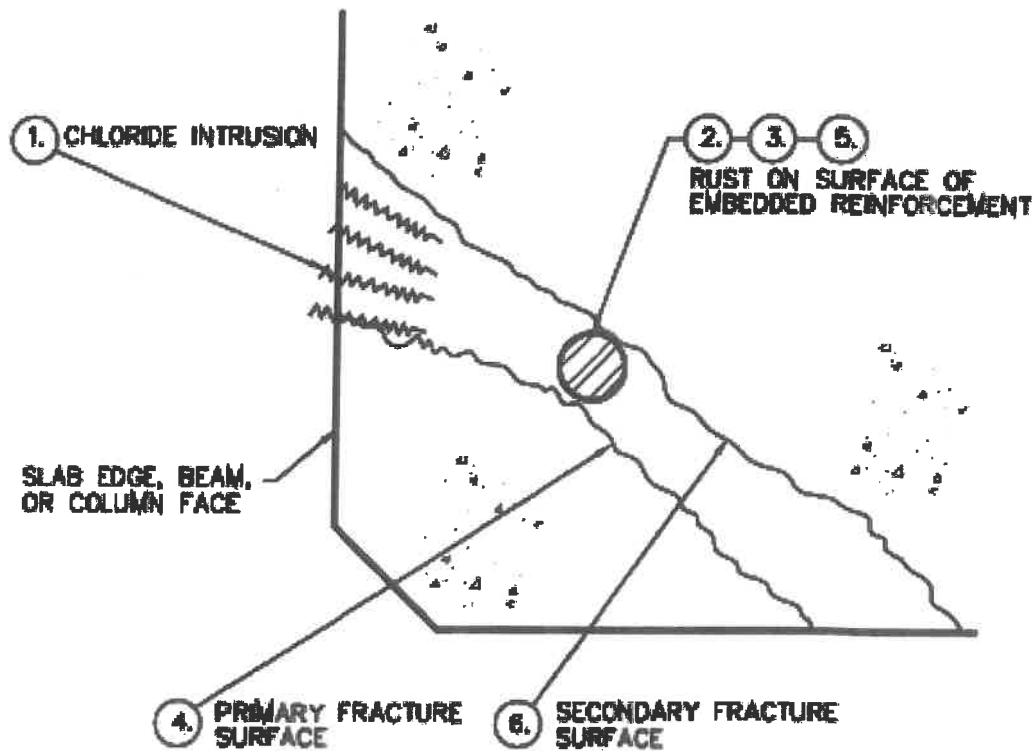


**FIGURE A-2  
CORROSION INDUCED DELAMINATION AND SPALLING PROCESS**



$D_c$  = DEPTH OF CLEAR COVER OVER REINFORCING STEEL

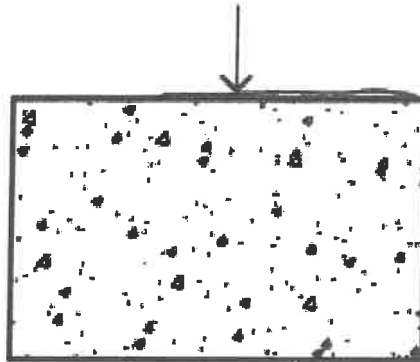
**FIGURE A-3**  
**REBAR CORROSION, DELAMINATION AND SPALLING MECHANISM**



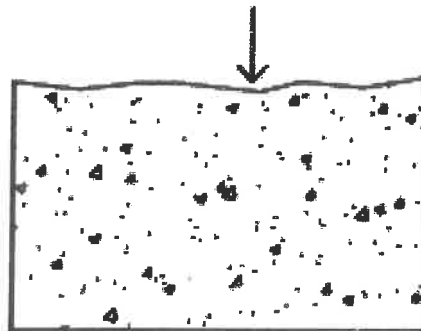
PROCESS DESCRIPTION

- ① CHLORIDE ION INTRUSION CONTAMINATES CONCRETE LOWERS PH AND INDUCES CORROSION OF EMBEDDED REINFORCEMENT.
- ② CORROSION BY-PRODUCTS "RUST" DEVELOP AT BAR SURFACE.
- ③ RUSTED BAR HAS INCREASE IN VOLUME WHICH CAUSES HIGH STRESSES IN CONCRETE SURROUNDING BAR.
- ④ HIGH STRESSES CRACK THE CONCRETE AT THE PRIMARY FRACTURE SURFACE.
- ⑤ ADDITIONAL SALT WATER AND AIR CAUSE FURTHER RUSTING OF BAR.
- ⑥ CRACK FORMS AT SECONDARY FRACTURE SURFACE.

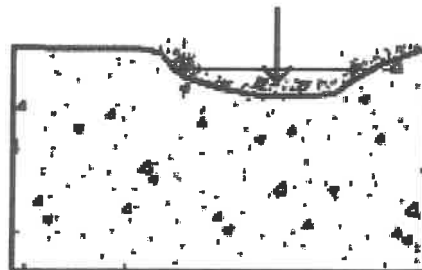
**FIGURE A-4  
SPALL DEVELOPMENT**



1. CONCRETE BECOMES SATURATED BY WATER PENETRATION THROUGH PORES AND CAPILLARIES



2. CONCRETE IS FROZEN IN A SATURATED STATE CAUSING HIGH STRESSES. LOOSE FLAKES APPEAR ON SURFACES AS THE MORTAR BREAKS AWAY.



3. AS FLAKING PROGRESSES, AGGREGATE IS EXPOSED AND EVENTUALLY BREAKS AWAY, THEREBY EXPOSING MORE PASTE TO FREEZE-THAW DAMAGE IN EXTREME CASES. APPARENTLY SOUND CONCRETE CAN BE REDUCED TO A GRAVEL-LIKE STATE IN A SHORT PERIOD OF TIME.

**FIGURE A-5  
CONCRETE SURFACE SCALING**

**APPENDIX B**  
**CONCRETE DELAMINATION SURVEY**

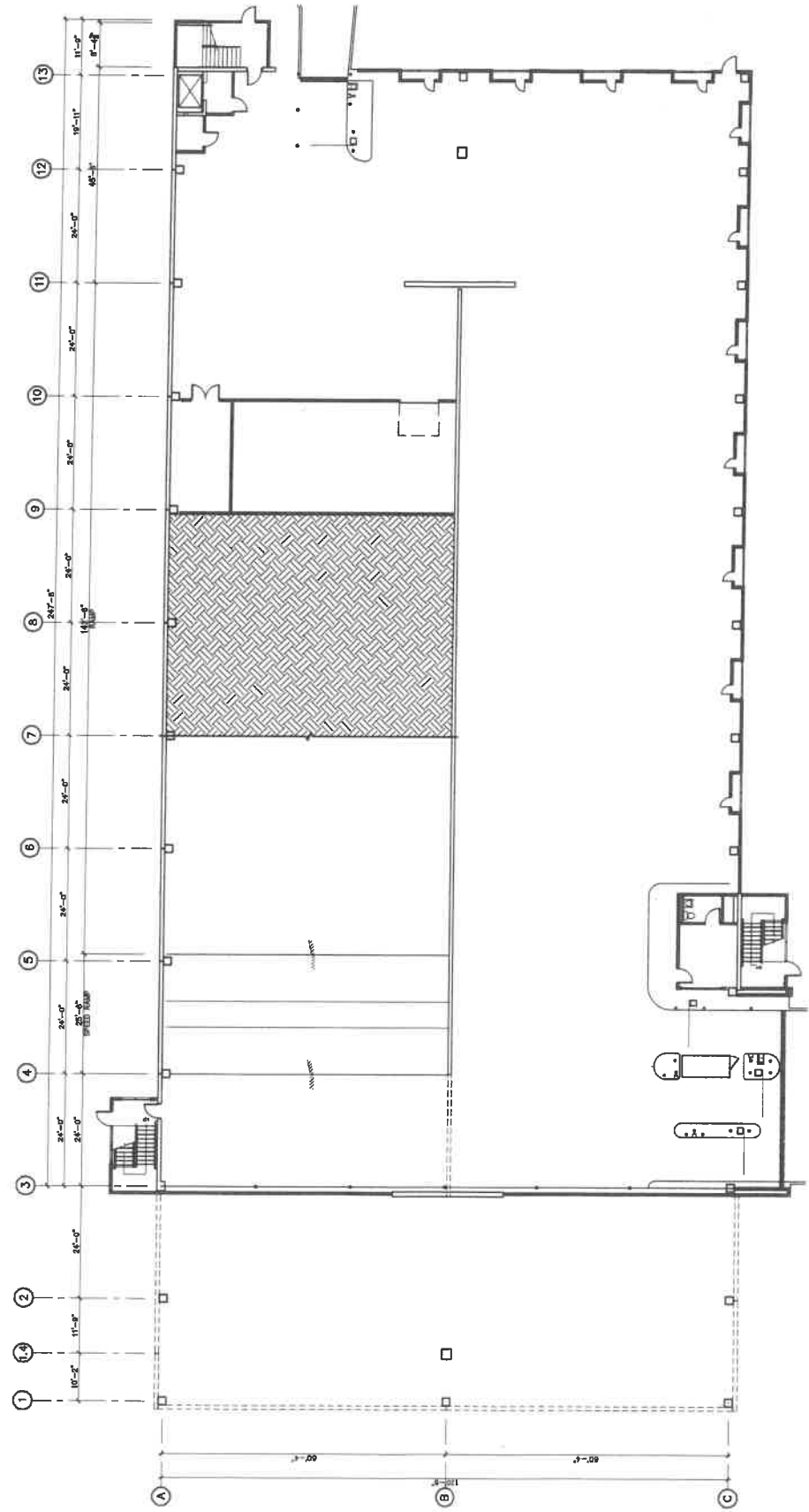
**SOUTH  
 PARKING  
 STRUCTURE**  
 Great Falls, Montana

NO.	DATE	DESCRIPTION

PROJECT NO. 13-0323A  
 DRAWN BY JEL/DB  
 DESIGNED BY  
 DATE 04/2012  
 CHECKED BY  
 PROJECT TITLE  
 APPENDIX B  
 LEVEL 1 PLAN

The drawings are the property of CW Plans, Inc. and are not to be used or reproduced in any form without the written consent of CW Plans, Inc.

B1



**LEVEL 1 PLAN**  
 3/8"=1'-0"  
 North  
 2011-2011-547-P207

**LEGEND**  
 TOP OF SLAB ILLUMINATION



DATE	BY	REVISIONS

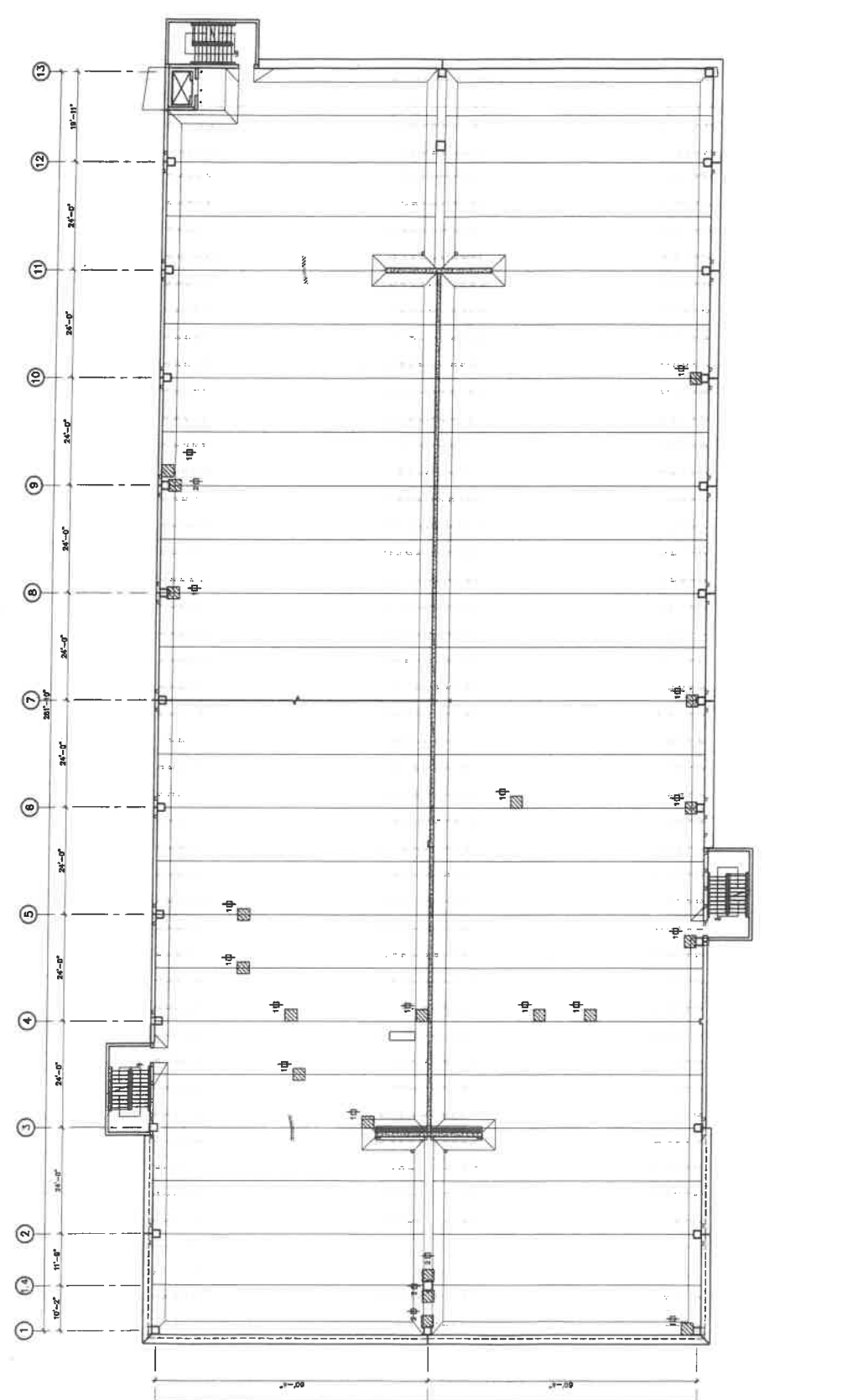
Project No. 03361566  
 Owner City of Great Falls, Montana  
 Drawn By JET/2012

Checked By JET/2012  
 Date 04/11/2012

The Drawings are the property of Carter-Walker and shall be returned to the office or destroyed when they are no longer needed or approved for use by the City of Great Falls, Montana.

APPENDIX B  
 LEVEL 2 PLAN

B2



**LEVEL 2 PLAN**  
 3/25-11-0



North  
 01-2011-147-2012

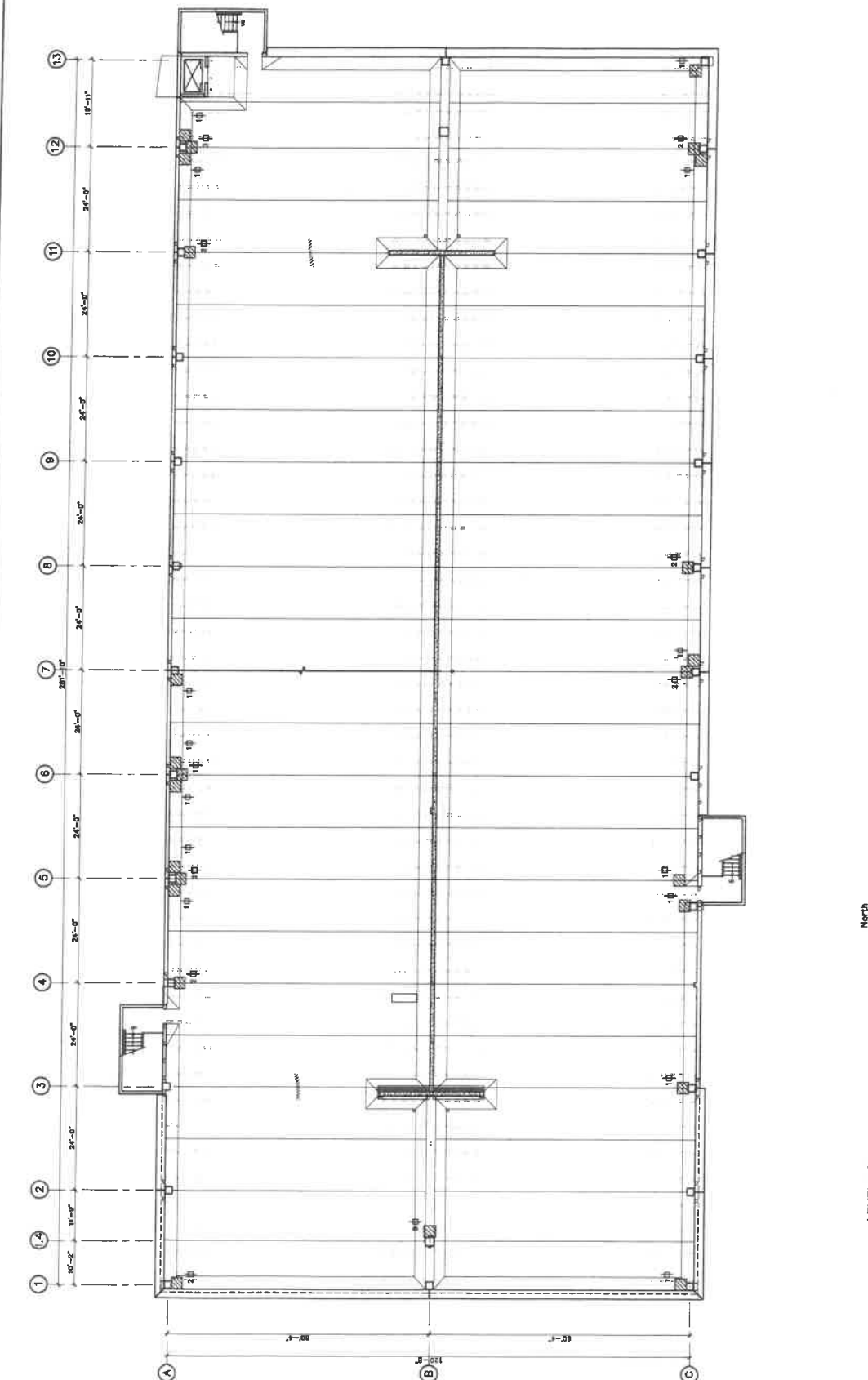
**LEGEND**  
 ▩ = TOP OF SLAB ELEVATION

Carter Walker, Inc. : DRAWING 22 WEST PROJECTS/2011 PROJECTS/MI-2011-147-CITY OF GREAT FALLS (MONTANA) SOUTH GRABER PLUMBING-INDUSTRIALS April 11, 2012, 8:28am .dwg

DATE	BY	DESCRIPTION

APPROVED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 PROJECT NO.: 081-2011-071-0203

THE DRAWINGS ARE THE PROPERTY OF CWVA. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO REPRODUCTION OR TRANSMISSION IS PERMITTED WITHOUT WRITTEN PERMISSION FROM CWVA.



**LEVEL 3 PLAN**  
 3/26/11  
 North  
 081-2011-071-0203  
**LEGEND**  
 [Hatched Box] = TOP OF SLAB DEFORMATION

CWVA, INC. : DRAWING 2 / PROJECTS / 2011 PROJECTS / 2011 Parking Structure Projects / 081-2011-071-0203 City of Grand Forks (MAY/CAD)/SOUTH GARAGE PLAN/SLAB DEFORMATION April 11, 2012, 10:23am (msd)





# Table 4.2 - Facility Improvement Measure (FIM) Summary

Project: City of Great Falls, MT  
 Scenario: Parking Garages 2019  
 Date: January 21, 2019

Facility Improvement Measures	FIM Description	Facility	Budget	Annual Utility Savings	Annual Operational Savings	Simple Payback (SPB)	Potential Incentives	Net Customer Cost (with Incentives)	Simple Payback (SPB) (with Incentives)
09.01-PGN Lighting Upgrades (LED)	Replace the lighting throughout the parking garage with new efficient LED lighting. Include occupancy control to dim and brighten lighting.	GF Parking Garage N	\$165,497	\$8,751	\$2,598	14.6	\$0	\$165,497	14.6
09.01-PGS Lighting Upgrades (LED)	Replace the lighting throughout the parking garage with new efficient LED lighting. Include occupancy control to dim and brighten lighting.	GF Parking Garage S	\$99,394	\$9,457	\$3,058	7.9	\$0	\$99,394	7.9
<b>Totals</b>			<b>\$264,891</b>	<b>\$18,208</b>	<b>\$5,656</b>	<b>11.1</b>	<b>\$0</b>	<b>\$264,891</b>	<b>11.1</b>

\* Since design cost, audit cost, etc. are distributed among the FIMs, the total project cost will not go up or down by exactly the amounts shown here if a FIM or FIMs are dropped.  
 \*\* For non recurring operational savings, the values are averaged over the 30 year length of this analysis.  
 \*\*\* Incentives are contingent on final approval and are not guaranteed. Funds are shown for reference only.

Confidential and Proprietary

**Date:** October 8<sup>th</sup>, 2018 – **REVISED 10/15/2018**

**To:** Dane Lyon  
SP+ Standard Parking

**From:** Jake Squillaci  
Parkonect, LLC  
Jake@parkonect.com

**RE: Monthly Only Solution at Great Falls Montana Garages**

Dane –

Thank you for the opportunity to provide a bid for a monthly access control system to Great Falls Montana parking garages.

Parking equipment is not all the same and this holds true to monthly parking. Parkonect was designed to add a layer of new technology to a garage for maximizing profitability – increase revenues and customer experience through creative, mobile based products today's customers seek while simultaneously minimize costs through real-time, cloud-based management software and equipment that is nearly maintenance free as a result of no moving parts.

### **Why Parkonect for Monthly Parking?**

Parkonect's monthly solution is 100% barcode based, which is more cost effective and significantly more flexible than tradition FOB/transponder systems and provide. Our monthly solution features QR codes and allows for immediate distribution of passes in a variety of forms. We also feature GPS-enabled iPhone/Android passes that push to a smartphone's screen the moment a parker nears the drive-lane of your garage. Finally, our cloud based management platform provides real-time data, insights and transactional analytics so your team can strategically manage the facility (included monthly credential distribution) from anywhere, anytime.

The following are specific features of Parkonect's monthly access control:

- Plug-and-play hardware that works with all existing garage systems – there is no need for a costly system replacement.
- Barcode based monthly access control system which allows the creation of different types of monthly account users with different usage parameters, restrictions, and activation dates. Adding, deleting, or resetting accounts to neutral can be done from any Internet-connected device.
- Full anti-passback with the ability to reset individual parkers or parking accounts to the "neutral" status through the cloud software. Every entry requires an exit before re-entry is allowed.

- Monthly users will be issued barcode-based credentials that can be in membership card, key-chain and/or iPhone Passbook or Android PassWallet format... all of which can be branded as SP+ or custom tailored to your client.

Here are examples of the monthly passes Parkonect has made for SP+:



*iPhone Passbook*



*Credit Card Style*



*Key-chain*

### **Assist Monthly Parkers Remotely while Seeing 100% Activity in Real Time.**

Parkonect's cloud-based system allows for real-time and loop-sensed remote gate vending. Your on- or off-site service team has complete visibility to parker usage and occupancy while having the ability to manually vend a gate in a controlled manner. Better yet, every manual vend is reported to a log that includes the user who performed the gate vend and their reason for doing so. Not only are you able to provide your parkers with quick, amazing customer services; we give you a full audit trail of who vended the gate and why to ensure 100% accountable access control.

## How Parkonect's Solution Works for Patrons, in Simple Terms

Our hardware in the garage is connected to the Internet and stands ready to accept the monthly pass. This hardware is easily identifiable because of the red flashing lights on our hardware's scanner.

- When a parking patron arrives at the parking lane, the equipment says *"Please Scan Pass"*. Upon scan the hardware verifies a vehicle is present. If a vehicle is not detected, the screen will say *"No Vehicle Present"* and return to the start screen.
- After confirming the vehicle is present, the read barcode is verified to ensure it is not in violation of *"passback"*
- Upon successful verification, the hardware displays the message *"Thank You... Gate Opening"* and sends a signal to vend the gate.
- Upon unsuccessful verification, a warning tone will sound and the screen will display an error message. Unsuccessful verification includes:
  - out of range barcode number
  - a barcode number that has been disabled
  - a barcode in violation of passback
  - a restricted time period.

## Our Hardware

Parkonect's Parq IV universal barcode reader and gate controlling hardware, or P4 as it referred to in this document, is a state of the art scanning system that is capable of scanning 1 or 2 dimensional barcodes regardless if they are printed on paper or displayed on a cell phone. Our uniquely designed, circular shape and our customized flashing red scanning system provides for the perfect customer experience... one they expect in today's Smartphone Era.

The P4 incorporates a powerful PC processor with up to 8 gigabytes of memory and can be interfaced using Ethernet, Wi-Fi or cellular Internet connectivity. This hardware is truly

plug and play... all that is needed is power and Internet. And, when the P4 exit station is equipped with our end-to-end encrypted credit card reader, our solution captures overstay revenue in a fully PCI compliant manner (we tie to your existing merchant ID but transact through a separate, PCI compliant gateway). Each P4 requires an Internet connection, 120 VAC, and a relay closure and loop sense connection to the gate/barrier to be controlled. The P4 does not provide any signal other than barrier gate opening and we track gate vends and counts based on verified entries and exits. The P4 heads will be installed in close proximity to the other vendor parking equipment on a custom made 40" mounting pedestal that has a 5" x 5" base plate.

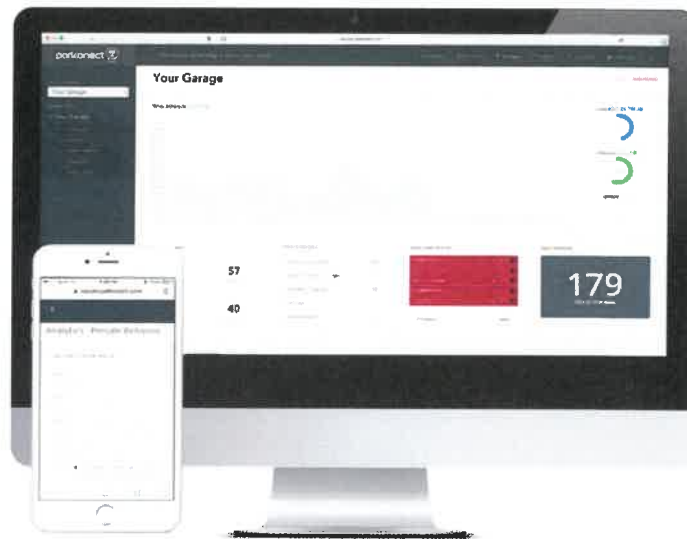


*P4-14 Entry Reader*



## Software and Remote Monitoring

Parkonect's software is a cloud-based solution that is accessible to all approved users using any Internet-connected device. Our hardware works the same way: all you need is an Internet connection, and onsite servers or management stations are not required.



The Parkonect software is robust yet intuitive. Our software includes:

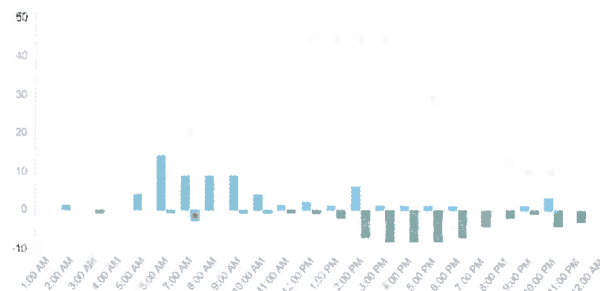
- **Remote Center Module** — At any given moment, the real-time aggregated data allows users to know who is in the garage; which presales have yet to arrive; who has left the garage; the status of any parker (transient, monthly users or prepaid); and each and every “error” or “failed” scan attempt — all the necessary data to manage off-site as well as determine how many spaces are vacant. The data may be quickly sorted for customer service (ticket number, presale order ID, transaction date, 3rd party vendor, monthly account, and more), and we provide remote users the ability to log individual patrons in and out of the system, apply validations on the fly or vend the gate.
- **Reporting** — In addition having live data log, we have numerous reports that can be pulled in various formats and over chosen date ranges so you can best understand what is happening in the garage, see usage stats and reconcile the information as needed. Being in the “Cloud,” these reports are readily accessible from any Internet-connected device... even your phone. The following are examples of reports in our system:
  - Garage Summary (tickets issued, credit card collections, vends,...)

- Monthly Cardholder History
  - Monthly Cardholder Status
  - Manual Log-in/outs
  - Occupancy Reports (by Count Category)
- **Monthly Analytics:** Occupancy analytics to compare cardholder activity down to the account level, to see actual utilization with corresponding car movement analysis broken down by week, week day and weekend. In addition, we have reports which detail entry, exit, and net car counts for each hour and broken down by account with quick access to the underlying transactional detail for deeper analysis.

MONTHLY MOVEMENT - PERIOD AVERAGES



MONTHLY MOVEMENT



- **Real-time Counts, Calendars and Reports on Monthly Parkers:** Simple-to-use and viewable on a prospective daily, monthly or custom view basis, our monthly insights track monthly user activity down to the vend. With our “One Click” functionality, you can easily see the underlying data by clicking any date or “red” number shown.

June - 2017						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				89 89 Ent	83 83 Ent	21 21 Ent
29 29 Ent	85 85 Ent	97 97 Ent	91 91 Ent	91 91 Ent	84 84 Ent	21 21 Ent
25 25 Ent	93 93 Ent	95 95 Ent	90 90 Ent	96 96 Ent	84 84 Ent	24 24 Ent
26 26 Ent	86 86 Ent	90 90 Ent	84 84 Ent	89 89 Ent	78 78 Ent	27 27 Ent
26 26 Ent	96 96 Ent	92 92 Ent	91 91 Ent	99 99 Ent	90 90 Ent	

### Monthly Count Report

6/8/2017 - 6/8/2017  
 Garage Name: 414 E Commercial St

Start Time	End Time	Entries	Exits
12:00 AM	1:00 AM	0	0
1:00 AM	2:00 AM	0	0
2:00 AM	3:00 AM	0	0
3:00 AM	4:00 AM	0	0
4:00 AM	5:00 AM	5	0
5:00 AM	6:00 AM	14	1
6:00 AM	7:00 AM	10	4
7:00 AM	8:00 AM	17	0
8:00 AM	9:00 AM	11	2
9:00 AM	10:00 AM	8	1
10:00 AM	11:00 AM	0	5
11:00 AM	12:00 PM	3	0
12:00 PM	1:00 PM	2	2
1:00 PM	2:00 PM	7	11
2:00 PM	3:00 PM	2	10
3:00 PM	4:00 PM	2	12
4:00 PM	5:00 PM	2	11
5:00 PM	6:00 PM	1	11
6:00 PM	7:00 PM	1	9
7:00 PM	8:00 PM	0	1
8:00 PM	9:00 PM	0	3
9:00 PM	10:00 PM	6	3
10:00 PM	11:00 PM	0	3
11:00 PM	12:00 AM	0	0
<b>Totals</b>		<b>91</b>	<b>89</b>

## **Data Security**

We take all reasonable precautions to keep your information safe and secure and PCI-compliant. Most importantly, we store NO credit card data.

Our state-of-the-art redundant server cluster is professionally hosted and managed in Microsoft Azure cloud. Because we insist on superior redundancy, our platform is geo-replicated across multiple Azure Datacenters to ensure uptime even if there is a power outage at an Azure Datacenter—nothing will be lost and the system will not go down.

Our servers are protected by biometric locks and round-the-clock interior and exterior surveillance. Only authorized personnel have access to the data center, and on-site staff provide additional protection against unauthorized entry and security breaches. Our providers have an uptime record of over 99%.

*The following price is our "system only" quote and does not include delivery or installation*

### System Price – Garage 1

(2) P14 Entry Reader, (2) P24 Exit Reader, Pedestals	\$16,098
(4) Gates with Arm and Loop Detection	\$17,000
Credit Card Gateway Setup	\$695
System Modules, Setup and Configuration	\$2,750
Remote Install and Startup	\$475
Installation	TBD
<b>Total Before Installation, Tax and Delivery</b>	<b>\$37,018</b>

\* Installation assumes internet and power are provided by building at location of equipment final position (CAT5e and normal outlet/110 power).

Monthly Software License Fee for Garage 1 is **\$239.95 per month**

### System Options

<i>Option #1 – Branded SP+ Monthly Passes</i>	<i>\$4/each minimum</i>
<i>Option #2 – (2) Commend IOIP Intercoms with Pedestals* Hardware only</i>	<i>\$2,700</i>
<i>Option #3 – Saw Cut In-Ground Loops</i>	<i>\$600/per</i>

\*Parkonect can provide Commend intercoms to main lane parking equipment. Activation and licensing to be provided by RMS

## System Price – Garage 2

(2) P14 Entry Reader, (2) P24 Exit Reader, Pedestals	\$16,098
(4) Gates with Arm and Loop Detection	\$17,500
Credit Card Gateway Setup	\$695
System Modules, Setup and Configuration	\$2,750
Remote Install and Startup	\$475
Installation	TBD

**Total Before Installation, Tax and Delivery \$37,018**

\* Installation assumes internet and power are provided by building at location of equipment final position (CAT5e and normal outlet/110 power).

Monthly Software License Fee for Garage 2 is \$239.95 per month

### System Options

<i>Option #1 – Branded SP+ Monthly Passes</i>	\$4/each minimum
<i>Option #2 – (4) Commend IOIP Intercoms with Pedestals* Hardware only</i>	\$5,400
<i>Option #3 – Saw Cut In-Ground Loops</i>	\$600/per

\*Parkonect can provide Commend intercoms to main lane parking equipment. Activation and licensing to be provided by RMS

## **Monthly Software Subscription Fee**

In addition, the web-based software that runs the Parkonect solution is provided to you under a Master Subscription and Licensing Agreement which carries monthly charge per facility. As noted above, other software features carry additional monthly charges, such as pay-on-foot functionality. Parkonect will cap our monthly subscription fee to not increase more than 5% per year for a five-year period for the features selected.

## **Proposal**

Please note the web-based software that runs the Parkonect solution is provided to you under a Master Subscription and Licensing Agreement which carries a monthly charge, as shown above. The Parq IV comes with a 1 year warranty that covers defects in materials and workmanship and includes all parts and labor for the internal operations of the hardware. If service is necessary, a replacement Parq IV can be shipped to the site or overnight swap made available. An extended warranty can be provided starting at \$600 per P4 per year

As always, please feel free to call me with any questions.



***Jake Squillaci – Sales & Partnerships***



**Item:** Resolution 10287, Remodeling, Reconstruction or Expansion of Certain Commercial Buildings or Structures; Tax Benefit for Raegen Breeden, 4241 2<sup>nd</sup> Avenue North, Described As Lot 16A of the Amended Plat 2018-18, Block 11, in the Morningside Addition, Section 9, T20N, R4E, PMM, Cascade County, MT

**From:** Tom Micuda, Deputy Director, Planning & Community Development Department

**Initiated By:** Raegen Breeden

**Presented By:** Craig Raymond, Director, Planning and Community Development Department

**Action Requested:** City Commission conduct public hearing and adopt Resolution 10287

---

**Public Hearing:**

1. Mayor conducts public hearing, calling three times each for proponents and opponents.
2. Mayor closes public hearing and asks the will of the Commission.

**Suggested Motion:**

1. Commissioner moves:  

“I move that the City Commission (adopt/deny) Resolution 10287.”
  2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
- 

**Staff Recommendation:** Pursuant to Section 15-24-1501 Montana Code Annotated, Staff recommends that the City Commission adopt Resolution 10287 granting a tax benefit for Raegen Breeden, for the property located at 4241 2<sup>nd</sup> Avenue North, Great Falls, MT.

**Background:** The applicant is the owner of Play N’ Learn Academy. Previous to January 11, 2019, the applicant’s child care and pre-school was located on the east end of Great Falls in a 2,500 square space owned by the City’s Housing Authority. That facility was licensed for 43 children and had been providing services since 2008. In 2014, the applicant realized that a larger space was essential to fill the growing demand for child care in Great Falls.

For over four years, the applicant has worked to finance and construct her new facility located at 4241 2<sup>nd</sup> Avenue North. After spending \$66,000 of her own money and working with the Great Falls



Development Authority to gain a 504 loan, the applicant received a Certificate of Occupancy from the City for the new facility on January 11, 2019. This facility will be able to provide child care and education services for 120 children, almost triple the previous location. The design plans for the new facility were approved by the City’s Design Review Board in 2017. The project includes a significant remodeling and expansion of a vacant, outdated building located on 0.67 acres of property. Additionally, new playground space, parking, sidewalk, and landscaping were added to a corridor greatly in need of new investment.

Section 15-24-1501, MCA, provides local government the option of giving Tax Benefits for the Remodeling, Reconstruction or Expansion of Existing Buildings or Structures. Section 15-24-1501 MCA reads:

**15-24-1501. Remodeling, reconstruction, or expansion of buildings or structures -- assessment provisions -- levy limitations.** (1) Subject to [15-10-420](#) and the authority contained in subsection (4) of this section, remodeling, reconstruction, or expansion of existing buildings or structures, which increases their taxable value by at least 2½% as determined by the department, may receive tax benefits during the construction period and for the following 5 years in accordance with subsections (2) through (4) and the following schedule. The percentages must be applied as provided in subsections (3) and (4) and are limited to the increase in taxable value caused by remodeling, reconstruction, or expansion:

Construction period	0%
First year following construction	20%
Second year following construction	40%
Third year following construction	60%
Fourth year following construction	80%
Fifth year following construction	100%
Following years	100%

The law governing this incentive was amended in 1985, requiring that each local governing body (City and County) may approve the Tax Benefit on a project by project basis. If one local government body approves the tax benefit and the other does not, the benefit will apply only to the mills levied by the approving governing body. In addition, tax benefits do not include any relief from state-wide levies, and local government approval of the application must be made by resolution.

In December 2015, the City Commission adopted Resolution 10119 establishing certain criteria for the evaluation of tax benefit requests. The following is the criteria by which each application is to be evaluated for approval, modification or denial, along with a brief staff evaluation of the merits of the project as it pertains to each criteria:

a. Whether the City’s financial condition at the time of the application or consideration of the application warrants granting the application;

**The City's current financial condition is “in recovery”. Strides have been made in stabilizing fund balances; however, various capital projects remain unfunded and public safety needs still exist.**

b. Whether the application meets all pertinent statutory criteria for the particular project;

**The application meets all statutory criteria. The project is eligible to receive abatement consideration by the City Commission.**

c. Whether the property taxes or other taxes and/or assessments on the property are current;

**All property taxes and assessments on the property are current.**

d. Whether the project may unreasonably affect the tax base of the City;

**If the applicant's requested tax benefit is approved, the direct positive tax base improvement will be delayed for five years. Staff notes, however, that the property was providing a minimal positive tax benefit to the City prior to the applicant's investment. The existing building on the property was vacant, and the property was in a state of disrepair. The applicant's project: 1) increased the building square footage, 2) completely renovated the building's interior and exterior façade, 3) added sidewalk, paved/striped/ADA parking, playground space, and attractive landscaping. Ultimately, the City will gain tax revenue from the property. The applicant estimates that her entire investment in the project is approximately 2.2 million dollars. The actual cost of the construction project is just under 1.1 million dollars.**

e. Whether the project would impact employment opportunities within the City;

**The applicant's new childcare and pre-school facility will provide 16 new job opportunities.**

f. Whether the project is located within a Tax Increment Financing (TIF) or Targeted Economic Development (TED) District;

**The project is not located within any TIF or TED districts.**

g. Whether the project has already received additional financial assistance from the City or other authorities having jurisdiction;

**The applicant has not received any financial assistance from the City. As noted earlier in the report, the applicant did receive both technical and financial assistance from GFDA. In particular, GFDA provided a Brownfield Program Grant for environmental testing.**

h. As to applications filed pursuant to Mont. Code Ann. §15-24-1601 *et seq.*, whether the Montana State Historic Preservation Office has provided design review assistance and certification for qualifying properties;

**This requirement is not applicable to the applicant's request.**

i. Whether the project will create affordable housing opportunities;

**This criterion is not applicable to the applicant's request.**

j. Whether the project will encourage additional, unsubsidized development in the area of the project, either directly or indirectly, through "spin-off" development;

**Staff is hopeful that the applicant's substantial investment in the property will send a positive signal to other nearby owners and trigger "spin-off" development along the 2<sup>nd</sup> Avenue North corridor.**

k. Whether the project will facilitate the development process and achieve development on sites which would not be developed without assistance, or would not be developed at a level of acceptable quality;

**While unsubsidized development is always the most preferable community development outcome, there are situations when tax abatement should be considered. In this instance, tax abatement is warranted to support the following objectives: 1) entrepreneurial investment, 2) high quality development, and 3) meeting the City's objectives for redeveloping underutilized commercial corridors.**

l. Whether the project would encourage redevelopment of commercial and industrial areas in the City of Great Falls, resulting in a higher level and quality of re-investment;

**The redevelopment of the subject property will have a positive effect on the surrounding area and will likely encourage further redevelopment of surrounding commercial properties.**

m. Whether the project would encourage removal of blight, or the rehabilitation of a high profile or priority site;

**The project location was not located on a high priority or high profile site. Prior to the applicant's investment, however, the property had some blighted conditions – an abandoned sign structure, some failing pavement, and a weedy, vacant lot.**

n. Whether the application is sought in whole or in part because of increased costs of redevelopment, such as clean-up of a contaminated site, demolition expenses, and the like, over and above costs normally incurred in development;

**The applicant's motivations for requesting abatement are outlined in Criterion (o) below. Staff notes the applicant's high overall investment in a development project that is of significantly higher quality than found on other properties in the area.**

o. Whether the project could be developed without the benefit of a tax abatement; i.e., but for the allowance of a tax abatement, the project would not be developed or pursued;

**Since the child care facility has been in operation for several months, staff cannot attest that the project would not have been developed without the requested abatement. However, staff notes the following points in favor of granting the requested abatement. First, the applicant filed for the abatement in late November, 2018, before the project was fully complete. Second, the applicant is not a developer; she has indicated nervousness about what the future property tax burden will be now that the property has been fully improved to a much higher standard. Finally, the applicant doesn't yet have a clear picture on operational revenues associated with running a much larger day care center.**

p. Whether conferring the tax benefit will create an adverse impact on existing state, county or municipal services;

**Granting the tax benefit will have an adverse impact on funding of these services for a period of five years. As noted previously, the redevelopment investment being made for the site will have a significant, positive impact on the local tax base for a long period of time.**

q. Whether the project contributes to the implementation of other policies adopted by the City, including, but not limited to, the City's Growth Policy;

**The project significantly contributes to the goals and policies of the Growth Policy by redeveloping and enhancing an abandoned property within the City and utilizing existing utilities and road infrastructure.**

r. Whether the project would meet other criteria as would be considered reasonable for the best interests of the City.

**In addition to what's been included in this agenda report, the project addresses other community interests including: 1) providing support for local entrepreneurship, and 2) facilitating high quality childcare education opportunities, particularly for families affiliated with Malmstrom Air Force Base.**

As required by Section 7-1-4127 MCA, due notice of the intent to consider Resolution 10287 was provided through notices of public hearing being published in the *Great Falls Tribune* on March 31, 2019, and April 14, 2019.

**Concurrences:** The Planning and Community Development Department has coordinated with the Department of Revenue throughout the process.

**Fiscal Impact:** Approval of the application will allow the new property taxes generated from the expansion to gradually be added to the property owner's existing property taxes over a five-year period in increments of 20% each year. The Department of Revenue will apply the tax benefit to the 2019 tax year.

At the current tax rate and estimated post-construction appraisal values, the estimated City tax revenue loss would be approximately \$6846 for Year 0 – the construction year. The estimated total City tax revenue loss over a five year period would be approximately \$20,591 if the City Commission approved the benefit.

**Alternatives:** The City Commission may choose not to adopt Resolution 10287. For such a decision, the Commission should examine the criteria above and provide an alternative basis for decision.

**Attachments/Exhibits:**

Resolution 10287

Tax Abatement Application

**RESOLUTION 10287**

**A RESOLUTION APPROVING THE APPLICATION FOR TAX BENEFITS FOR REMODELING, RECONSTRUCTION, OR EXPANSION OF EXISTING COMMERCIAL BUILDINGS OR STRUCTURES; TAX BENEFIT FOR RAEEN BREEDEN, FOR THE PROPERTY LOCATED AT 4241 2<sup>ND</sup> AVE NORTH, LEGALLY DESCRIBED AS LOT 16A OF THE AMENDED PLAT 2018-18, BLOCK 11, IN MORNINGSIDE ADDITION, SECTION 9, T20N, R4E, PMM, CASCADE COUNTY, MT., PURSUANT TO MONT. CODE ANN. §§ 15-24-1501 AND 15-24-1502 (2017)**

\* \* \* \* \*

**WHEREAS**, Mont. Code Ann. §§ 15-24-1501 and 15-24-1502, provides the opportunity for local governing bodies to give Tax Benefits for Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures; and

**WHEREAS**, said encouragement allows for properties to receive a property tax reduction for the first five years; and

**WHEREAS**, the applicant, Raegen Breedon, has submitted an application for the Remodeling, Reconstruction, or Expansion of Certain Commercial Buildings or Structures tax benefit pursuant to Mont. Code Ann. §§ 15-24-1501 and 15-24-1502 for the property located at 4241 2<sup>nd</sup> Avenue North, described as Lot 16A of the Amended Plat 2018-18, Block 11, in the Morningside Addition, Section 9, T20N, R4E, PMM, Cascade County, MT; and

**WHEREAS**, in order for a taxpayer to receive the tax benefits, following due notice as defined in Mont. Code Ann. § 7-1-4127 and a public hearing, the City Commission, having jurisdiction, must approve by separate resolution for each project the application for tax benefits; and

**WHEREAS**, the City Commission adopted Resolution 10119 on the 1<sup>st</sup> day of December, 2015, Establishing Criteria for Evaluating Tax Abatement or Benefit Requests.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT:**

Following a public hearing and taking into consideration the criteria established in Resolution 10119, the City Commission of the City of Great Falls does hereby approve Raegen Breeden's Application for Tax Exemption and Reduction for the Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures (Play N' Learn Academy located at 4241 2<sup>nd</sup> Avenue North) pursuant to Mont. Code Ann. §§ 15-24-1501 and 15-24-1502.

This exemption and reduction will continue as set forth in said statutes, as long as Raegen Breeden complies with the terms set forth in the application, and as long as Raegen Breeden maintains ownership of the affected property. If said conditions are not met, the reduction in property taxes may be recaptured by the City.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on April 16, 2019.

---

Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara Sexe, City Attorney



**Application for Tax Exemption and Reduction for the Remodeling,  
Reconstruction or Expansion of Existing Commercial Buildings or Structures**

This application must be submitted to the appropriate local governing body or bodies by the property owner of record or his agent. The decision of the local governing body or bodies must be mailed to the Department of Revenue before April 1 of the tax year for which the benefits are sought.

I, BARLEN BREEDEN whose mailing address is  
Name of Applicant - Please Print  
4241 2nd Ave. North Great Falls, MT 59405  
Please Print

do hereby make application for tax exemption and reduction for the remodeling, reconstruction or expansion of existing commercial building(s) or structure(s), in accordance with 15-24-1502, MCA, on the following described lands. (Please attach an additional page if the legal description does not fit within this space). Legal Description: PLEASE SEE ATTACHED.

- ◆ I submit the following information in support of this application:
- ◆ Date that the remodeling, reconstruction or expansion will start JUNE 1, 2018
- ◆ Date that the remodeling, reconstruction, or expansion will be completed MAY 30, 19
- ◆ Date that the earliest building permit was received 5-17-18
- ◆ (The construction period for a specific project may not exceed 12 months.)
- ◆ Estimated cost of the remodeling, reconstruction or expansion \$ 1,085,714.40
- ◆ Please supply a brief description and diagram of the remodeling, reconstruction or expansion. If additional space is required, please attach additional pages. PLEASE SEE ATTACHED
- ◆ The commercial building or structures has not been used in a business for 20 months.
- ◆ Property taxes on the building or structures are delinquent no.

Under penalty of perjury, I hereby certify the facts herein stated are true. I further acknowledge by my signature that I have reviewed the information on the reverse side of this form and understand its meaning.

[Signature] Date 11/28 Year 18  
Signature of Escrow Agent or Agent  
Signature of Property Owner or Agent Date \_\_\_\_\_ Year \_\_\_\_\_

**For County Government Purposes Only**

Application received by county governing body on \_\_\_\_\_ year \_\_\_\_\_. This application for exemption and reduction for remodeling, reconstruction or expansion of existing commercial buildings or structures is hereby:

\_\_\_\_\_ Approved \_\_\_\_\_ Disapproved

By \_\_\_\_\_, Chairman-County Commission on \_\_\_\_\_, year \_\_\_\_\_

**For City Government Purposes Only**

Application received by city governing body on \_\_\_\_\_ year \_\_\_\_\_. This application for exemption and reduction for remodeling, reconstruction or expansion of existing commercial buildings or structures is hereby:

\_\_\_\_\_ Approved \_\_\_\_\_ Disapproved

By \_\_\_\_\_, Authorized Agent of City Government on \_\_\_\_\_, year \_\_\_\_\_

**For Department of Revenue Purposes Only**

- ◆ Application received by Department of Revenue governing body on \_\_\_\_\_ year \_\_\_\_\_.
- ◆ The remodeling, reconstruction or expansion of the existing commercial building or structure increases the taxable value of that structure or building by at least 5% yes no.
- ◆ This application for tax exemption and reduction for the remodeling, reconstruction, or expansion of existing commercial buildings or structures is hereby \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved
- ◆ If approved, the appropriate tax benefits will be granted for the \_\_\_\_\_ tax year.

By \_\_\_\_\_, County Appraiser on \_\_\_\_\_, year \_\_\_\_\_

1/28/2019

Re: Tax Reduction and Reduction for Remodel, Reconstruction or Expansion of Existing Commercial Buildings or Structures.

To: Mayor Bob Kelly and City Commissioners

My name is Raegen Breeden and I am the owner of Play N Learn Preschool and Daycare, I am requesting that the City Commission review my overall project for consideration of a tax benefit based off Resolution 10139.

My current facility is located at the East end of Great Falls with the expansion project also being located on the East end. We are the only facility east of town in a building owned by the Great Falls Housing Authority. This location is approximately 2500 square feet and is licensed for 43 children. We have been at this location since 2008. Our current wait list is 62 families affecting 83 children in need of quality care. We are also home to Malmstrom Air Force Base; this area of the air force is also struggling to provide childcare to our service men and women.

I have been working on my project and expansion for the past 4-½ years and spent approximately \$66,000.00 of my own money. I have spoken on several different occasions about this expansion and have met with government officials who support my project. I have met with Command Chief Mitchell and had breakfast with Senator Tester. I have spoke at "Ignite Great Falls", interviewed with 2 local news stations, and have been requested to write an article for our local newspaper.

A program we pride ourselves being apart of is the Best Beginnings STARS to quality program. This program consists of 5 star levels that promote high quality early care and education for children, educators, and families. I am extremely proud to say my facility is the one of two STAR 4 facilities in Great Falls and 1 of 5 in the State of Montana

The journey to expand became a mere thought in 2014 when I realized that I needed more space. After a simple conversation with my realtor Trevor Niswanger I was introduced to Jason Nitchke from GFDA in January 2015. As you can see our time line has consisted of many different efforts taken in the process of using a 504 loan and myself as the sole financial backer.

The process has been full of its up and down moments, milestones and hurdles, and overshot target dates. The financial aspect of my project has demonstrated it can sustain the responsibility I am taking on. The demand in our community will support the available spots I am trying to create. I partner with state and federal agencies; these include Malmstrom, DPHHS, and Family Connections.

The new facility is named Play N Learn Academy LLC. The impact of a project and program of this magnitude will greatly impact the children, families, and community



of Great Falls immensely. We will be able to provide quality care to 120 new children in our community, provide 16 new job opportunities for all education levels, and create a full day pre-k program that will be accessible to the community as a whole.

In accordance with the statutory criteria I feel my project does meet all the criteria if the city allows. The property tax's are paid in full and the Department of Revenue has already contacted me for an assessment in January 2019. I do not feel this project will have a negative effect on the tax base of the city. I feel it will do the exact opposite. As mentioned above we will be creating 16 new jobs, 120 new childcare spots for the community as a whole, and overall employment during construction to several businesses.

The building is located at 4241 2<sup>nd</sup> Ave North and was purchased as three separate parcels spanning approximately ½ a city block. This project has provided a city sidewalk, paved/lighted parking lot, landscaping, and a 10,000-foot structure that has been all renewed and updated. As mentioned above I am the sole financial backer of my project and have not received any funding from the city. I have received grant money from GFDA for environmental testing as it is for children.

The opportunity for my project and me personally as the sole business owner to apply for the tax reduction application can benefit my project as a whole. During the entire 4 ½ years I have tried to plan and prepare for everything I would endure with a project of this magnitude. However, I have had some unanticipated hurdles that have more increased costs that I did not realize until now. I have had several costs relating to environmental testing, new property assessments, and start up costs that I did not put in my original budget. I am very aware of property taxes as a homeowner but have never experienced the difference in owning a business. I was contacted by a property assessor during my first week of closing and in May received my first tax bill. I was completely shocked but understanding to the cost and started worrying about what it would jump to once the project closed. This opportunity would benefit me in my beginning years while I start this new adventure and allow me to get on my feet if the city allows.

My project is near completion with landscaping to remain and I am proud to say we received our full occupancy certificate to open on January 14, 2019. My project overall will encourage additional, unsubsidized development in the area of the project, either directly or indirectly, through more development and setting precedent for public sidewalks. This building will improve the area in my opinion and hopefully create growth on the East end of town.

I appreciate the time taken to review my request and hope that I have provided enough documentation for approval. This would help me transition as a individual owner to this \$2.2 million dollar project that services our community as a whole.

If you have any questions please do not hesitate to call me at 406-770-3055!

Thank you,  
Raegen Breeden

# ADDENDUM TO BUY-SELL AGREEMENT FOR ADDITIONAL PROVISIONS



1 This is an addendum to a Buy/Sell Agreement dated 05/02/18,  
 3 between Malcolm A. Jaap (Seller)  
 5 and Plat N Learn Academy LLC (Buyer)  
 7 and concerning the following described property: \_\_\_\_\_  
 9 4229,4237,4239,4241 2nd Ave N. Great Falls MT 59401

11 Additional provisions:  
 12 The legal descriptions of the parcels included in this transaction are as follows:  
 Parcel 1:  
 Lots 16 and 17, Block 11, Morningside Addition to the City of Great Falls, Cascade County, Montana, according to the official map or plat thereof, on file and of record in the office of the Clerk and Recorder of said county; Excepting Therefrom the South 10 feet thereof conveyed to the State of Montana. (According to reel 291, Document 73, recorded March 7, 1997. records of Cascade County, Montana.)  
 Parcel 2:  
 Lot 18 and the East One-half of lot 19, Block 11, Morningside Addition to the City of Great Falls, Cascade County, Montana, according to the official map or plat thereof, on file and of record in the office of the Clerk and Recorder of said county.  
 (According to reel 291, Document 801, recorded March 25, 1997, records of Cascade County, Montana)

30 <u><i>Ryan Breach</i></u> 31 Buyer Plat N Learn Academy LLC	<u>05/02/18</u> Date	<u><i>Malcolm A. Jaap</i></u> Seller Malcolm A. Jaap	<u>5/7/18</u> Date
34 _____ 35 Buyer	_____ Date	_____ Seller	_____ Date

**NOTE:** Unless otherwise expressly stated the term "Days" means calendar days and not business days. Business days are defined as all days as except Sundays and holidays. Any performance which is required to be completed on a Saturday, Sunday or a holiday can be performed on the next business day.

©MONTANA ASSOCIATION OF REALTORS®, March 2006



11/27/18

**INVOICE**

**Project: Play N' Learn Academy  
Raegen Breeden**

**Pay Request 6**

Contract Amount	\$ 1,085,714.40
Change Orders to Date	\$ 82,466.00
Deductive Change Orders to Date	\$ 28,656.00
Revised Contract Amount	\$ 1,139,524.40
Work Completed to Date	\$ 1,091,920.00
Previous Paid to Date	\$ 980,992.00
Amount Due This Invoice	\$ 110,928.00
Balance Remaining	\$ 47,604.00

**TOTAL AMOUNT DUE AT THIS TIME:        \$110,928.00**

*Please let me know if you have any questions.*

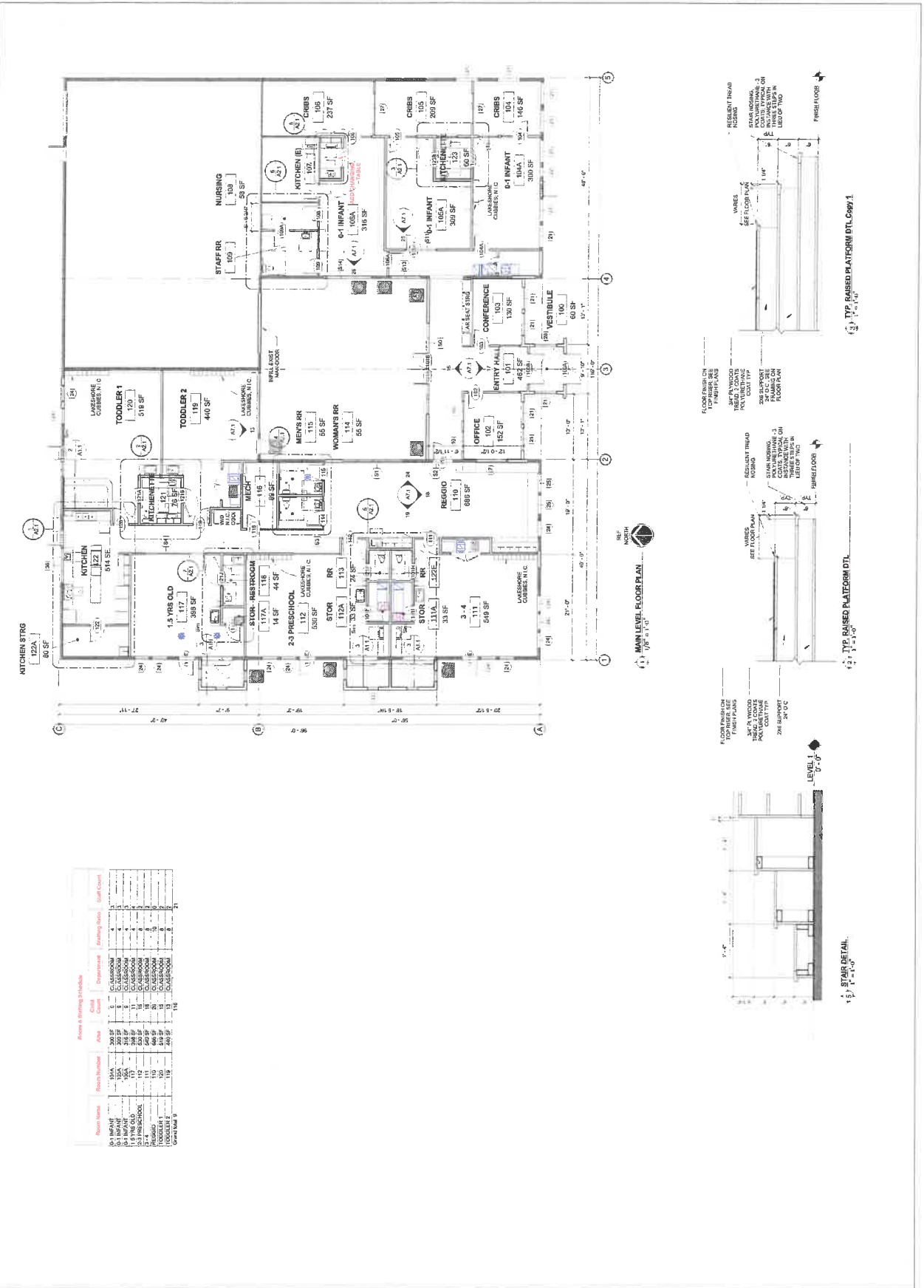
**Thank You,**

**Mike Lee  
Guy Tabacco Construction  
PO BOX 550  
Black Eagle, MT 59414**

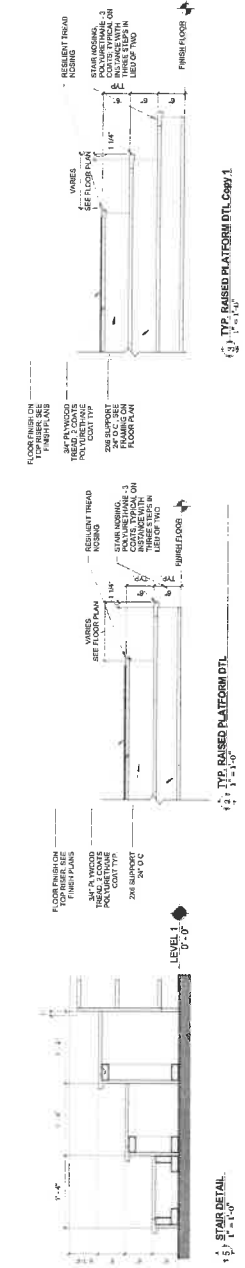
NO.	REVISION	DATE
01	REVISED	05/25/17
02	REVISED	08/01/17
03	REVISED	08/01/17
04	REVISED	08/01/17
05	REVISED	08/01/17
06	REVISED	08/01/17

**PROJECT:** PLAY 'N LEARN CHILDCARE REMODEL OPTION  
**NO.:** 15-051  
**DATE:** 08/01/17  
**SCALE:** 1/8" = 1'-0"

A1.1



Room Name	Room Number	Area	Category	Code	Code
01 INFANT	104	300 SF	CLASSROOM	104	
02 INFANT	105	300 SF	CLASSROOM	105	
03 INFANT	106	300 SF	CLASSROOM	106	
04 INFANT	107	300 SF	CLASSROOM	107	
05 INFANT	108	300 SF	CLASSROOM	108	
06 INFANT	109	300 SF	CLASSROOM	109	
07 INFANT	110	300 SF	CLASSROOM	110	
08 INFANT	111	300 SF	CLASSROOM	111	
09 INFANT	112	300 SF	CLASSROOM	112	
10 INFANT	113	300 SF	CLASSROOM	113	
11 INFANT	114	300 SF	CLASSROOM	114	
12 INFANT	115	300 SF	CLASSROOM	115	
13 INFANT	116	300 SF	CLASSROOM	116	
14 INFANT	117	300 SF	CLASSROOM	117	
15 INFANT	118	300 SF	CLASSROOM	118	







**Item:** Ordinance 3204 – An Ordinance by the City Commission of the City of Great Falls to assign R-5 Multi-Family Medium Density zoning to the properties legally described as Lots 8-21, Block 30 of the Replat of Lincoln Heights, located in the S1/4 of Section 18, Township 20 North, Range 4 East, PMM, City of Great Falls, Cascade County, MT, as well as the adjoining right-of-way of 15<sup>th</sup> Alley South; and Resolution 10290 – Intention to vacate 15th Alley South within Block 30 of the Replat of Lincoln Heights.

**From:** Erin Borland, Planner III, Planning and Community Development

**Initiated By:** K&V Family Properties LLC

**Presented By:** Craig Raymond, Director, Planning and Community Development

**Action Requested:** Accept Ordinance 3204 on first reading, adopt Resolution of Intent 10290, and set a joint public hearing for May 7, 2019.

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**Suggested Motion:**

Commissioner moves:

I. "I move that the City Commission (accept/not accept) Ordinance 3204 on first reading and set a public hearing for May 7, 2019."

Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Commissioner moves:

II. "I move that the City Commission (adopt/deny) Resolution 10290, and set a public hearing for May 7, 2019."

Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Staff recommends approval of the applicant's proposed R-5 Multi-Family Medium Density zoning request as well as adoption of Resolution of Intent 10290.

At the conclusion of a public hearing held on March 26, 2019, the Zoning Commission recommended the City Commission approve the establishment of zoning for the subject properties to R-5 Multi-Family Medium Density, subject to the fulfillment of the following Conditions of Approval:

### **Conditions of Approval:**

**1. General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.

**2. Improvement Agreement.** The applicant shall abide by the terms and conditions as well as pay all fees and reimbursements specified in the attached Improvement Agreement for the Subject Properties. The Improvement Agreement must be signed by the applicant and recorded for the Subject Properties.

**3. Amended Plat.** Provide a revised Amended Plat of the subject property, showing the proposed aggregation, containing all easements required by the City of Great Falls. The revised Plat shall incorporate corrections of any errors or omissions noted by Staff.

**4. Easements.** An easement document is to be drafted for review by Staff granting the City access through the adjacent property to the proposed off-site sanitary sewer main in the County right-of-way.

**5. Utilities.** The final engineering drawings and specifications for the on-site utilities for the subject property shall be submitted to the City Public Works Department for review and approval.

**6. Off-Site Sanitary Sewer.** Prior to the construction of the sanitary sewer main extension, written consent shall be provided from the adjacent property owner and the County.

**7. Land Use & Zoning.** The development standards and land uses for the subject property shall be consistent with the Official Code of the City of Great Falls (OCCGF).

### **Summary:**

The applicant, K & V Family Properties LLC, is requesting annexation, establishment of zoning, a non-administrative plat to aggregate individual lots and vacation of a portion 15<sup>th</sup> Alley South. The applicant is proposing to develop the properties with two buildings, 18 bedrooms each, to be used as BeeHive Homes assisted living facilities. The property is legally described as the Amended plat of Lots 8-21, Block 30 of the Replat of Lincoln Heights, located in the S¼ of Section 18, Township 20 North, Range 4 East, PMM, and consists of 1.028 acres.

### **Background:**

#### **Establishment of Zoning**

In conjunction with the annexation, the applicant must establish zoning on the properties that will allow the proposed assisted living buildings. Based on the adjacent multifamily zoning in the area, the applicant is requesting an R-5 Multi-family medium density zoning designation. Assisted living facilities are a permitted use in this zoning district.

The basis for decision on zoning map amendments, i.e. rezoning or zone changes, is listed in the OCCGF §17.16.40.030. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact/Basis of Decision – Zoning Map Amendment.

#### **Intent to Vacate**

The Resolution of Intent for the vacation of 15<sup>th</sup> Alley South is in conjunction with the applicant's request for annexation, establishment of zoning and approval of a non-administrative plat. During staff discussion with the applicant, it was noted that the platted alley right of way, that is currently under



County jurisdiction, is not only undeveloped but is not functional due to the current grade of the site. Since the applicant owns the parcels to the north and south, the applicant has submitted an application for a petition to vacate 15th Alley South. City staff recommends in favor of the applicant's request, subject to the applicant reserving a 20-foot wide easement for access to public utilities.

According to Section 7-3-4448, Montana Code Annotated (M.C.A), the owner must file a request for the intent to vacate any right of way. City staff must then present a Resolution of the Intent to Vacate such right of way to the City Commission. If adopted, the next step would be for the Commission to set a date for a public hearing regarding the vacation of the right of way. M.C.A. requires a petition to be sent to each of the owners abutting the right of way property. Unless 51 percent of the affected property owners object to the proposed vacation, the Commission may, by ordinance, declare such vacation. Staff notes that the applicant is the only property owner on either side of the right of way.

**Improvements:**

Roadways and Alleys: Pursuant to the attached Improvement Agreement, the applicant proposes to construct 14th Avenue South consistent with City standards and submitted plans approved by the City Engineering Division. Construction of this street shall include curb and gutter, sidewalks, and boulevard trees. All street improvements are to be owned and maintained by the City upon completion. The applicant additionally proposes to install sidewalks along the west side of 25th Street South and along the north side of 15th Avenue South.

Utilities: The applicant is responsible for the installation of all public utilities as well as on site utilities to serve the proposed development. These public utilities include the extension of the water main through 14<sup>th</sup> Avenue South and the extension of the sanitary sewer main through the county right-of-way of 15<sup>th</sup> Alley South. This right-of-way runs through the middle of the adjacent storage unit business. The applicant must gain permission from both the owner and County before commencing this work. The recording of an easement for the City to access the sewer main is also required.

Stormwater Management: The applicant is proposing to construct underground detention that will ultimately tie into the City's existing storm drain system. The applicant is responsible for the installation of stormwater quality and quantity improvements consistent with City standards and submitted plans approved by the City of Great Falls Public Works Department.

**Neighborhood Council Input:**

The subject properties are located in Neighborhood Council #5. The applicant presented the project to the Neighborhood Council on January 21, 2019, and the Council voted unanimously in support of the project.

**Fiscal Impact:**

Services will be provided by the City, and the cost of infrastructure improvements will be borne by the applicant per the agreed upon terms of the Improvement Agreement. The City will reimburse the applicant for the proportionate share of costs of public improvements as outlined in the Agreement. The annexation and aggregation will lead to development of 14 lots and the proposed vacated alley right-of-way. This will have a positive benefit on the City's tax base.

**Alternatives:**

The City Commission could deny acceptance of Ordinance 3204 on first reading and not set the public hearing. Additionally, the City Commission could deny Resolution 10290, but due process requires that

the City Commission hold a public hearing whether or not the project is approved. This action is simply a preliminary step towards the notification and hearing process.

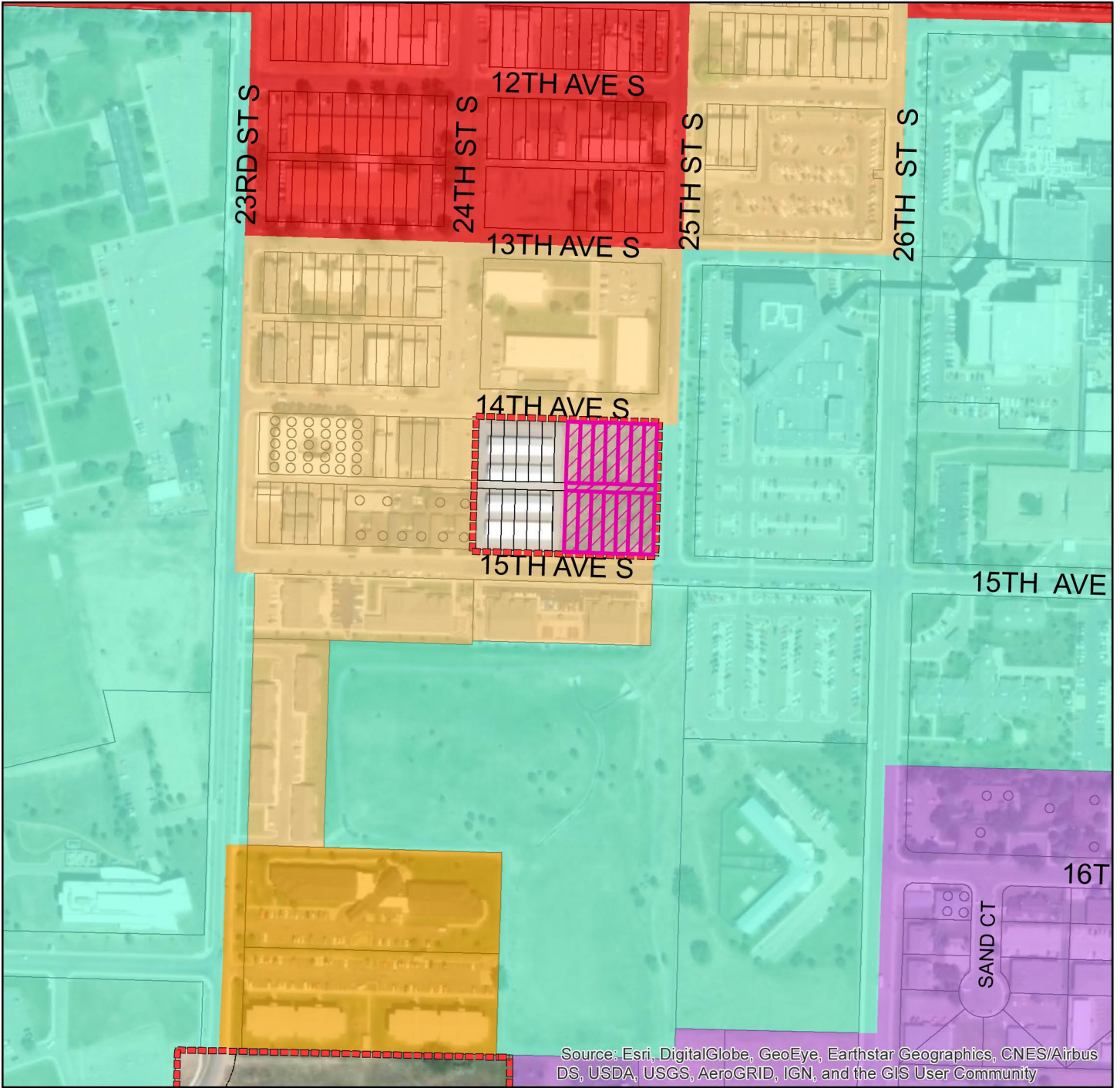
**Concurrences:**









Representatives from the City’s Public Works, Legal, and Fire/Rescue Departments have been involved throughout the review and approval process for this project, and will continue throughout the permit approval process. Both the Engineering and Environmental Divisions of Public Works have collaborated on the Improvement Agreement, as well as the design review of the proposed infrastructure improvements. Representatives from the City's Public Works and Fire Departments have also been notified of the Intent to Vacate the alley and have no objections to the request.

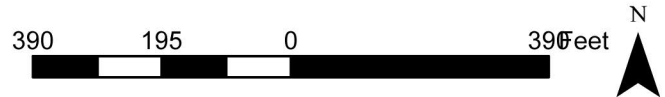
**Attachments/Exhibits:**

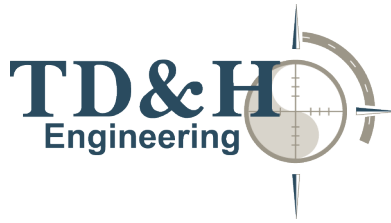
- Zoning Map
- Project Narrative
- Ordinance 3204
- Ordinance 3204 Exhibit A
- Findings of Fact/Basis of Decision – Zoning Map Amendment
- Resolution 10290
- Resolution 10290 Exhibit A
- Applicants Petition to Vacate
- Proposed Site Plan

# ZONING MAP



-  Subject Properties
-  R-5 Multi-family Medium Density
-  R-6 Multi-family High Density
-  C-2 General Commercial
-  M-1 Mixed-use District
-  PLI Public Lands and Institutional
-  U Unincorporated Enclave
-  Tracts of Land





## BEEHIVE: ANNEXATION/ZONING/SUBDIVISION/VACATE RIGHT-OF-WAY NARRATIVE

TD&H ENGINEERING JOB NO. 18-031

The owners of property located on the southwest corner of 14<sup>th</sup> Ave S and 25<sup>th</sup> St S are requesting annexation, zoning map amendment, subdivision (amended plat) and to vacate a portion of 15<sup>th</sup> Alley South in order to develop two 18-bed assisted living (retirement home) facilities on the property. The property is legally described as the Amended plat of Lots 8-21, Block 30 of the Replat of Lincoln Heights, located in the S1/4 of Section 18, Township 20 North, Range 4 East, PMM, City of Great Falls, Cascade County, MT. The property consists of a total of 1.028 acres.

The subject property is an unincorporated enclave located in Cascade County. The Owners would like to request annexation of the property into the City of Great Falls limits and an initial zoning of R-5 Multi-family Medium Density. Retirement home is a permitted use in the R-5 zoning district, retirement home includes assisted living facilities per the land development code. The newly proposed lot meet the standards of the City of Great Falls Land Development Code per the follow table:

Standard	R-5 Requirement	Provided Lot 8B
Residential Density	1,875 sq. ft. of lot area per dwelling unit	N/A
Min Lot Size	7,500 sq. ft.	1.028 ac
Min Lot Width	50 feet	175 ft
Lot Proportion	2.5:1	175'x256'
Max Building Height Principal Building	45 feet	Buildings will not exceed 45 feet
Maximum building height of detached private garage	24 feet; but not higher than the uppermost elevation of principal building	N/A
Max Building Height Accessory Building	12 feet	Accessory Buildings will not exceed 12 feet
Min Front Yard Setback	10 feet	10 feet provided
Min Side Yard Setback	4 feet; 8 feet if adjoining an R-1, R-2, R-3 district	4 feet provided
Min Rear Yard Setback	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 in depth and over	15 feet provided
Maximum Lot Coverage	Corner Lot 70%; Other Lots 60%	Does not exceed 70% coverage

The property currently consists of 14 individual lots, in conjunction with the annexation and zoning the owners are requesting an amended plat to aggregate all 14 lots into one lot. There is also an existing alley, 15<sup>th</sup> Alley South, that bisects the property the owners are requesting that this alley be vacated for the length of their property. The existing alley, runs for two blocks east west in the vicinity of the project from 23<sup>rd</sup> St S to 25<sup>th</sup> Street South. The property to the west of the proposed project consists of existing storage units and is also an unincorporated enclave. There is a significant grade change between that property and the existing alley to the west, it is unlikely the alley will ever develop in the future. The owners have had previous discussions with the City's Public Works department and they stated they were in support of vacating this portion of alley.

The Owners have been in discussion with Public Works regarding future extension of public utilities to serve the proposed lot. At this time it is planned to extend the sewer from the west to the property within the alley, the owners will provide an easement for the sanitary sewer. Water exists in 26<sup>th</sup> St S and 15<sup>th</sup> Ave S it is anticipated water will connect to one of these existing mains. Storm water will meet the requirements of the City of Great Falls. It is anticipated that underground storage will need to be utilized. Final installation of public/private utilities will occur at the time of development for the new lot, the Owner's will work with the City at that time to finalize the plans.

J:\2018\18-031 Bee Hive Homes\DOCUMENTS\APPLICATION\05\_BeeHive Narrative-18-031.doc

ORDINANCE 3204

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS ASSIGNING A ZONING CLASSIFICATION OF R-5 MULTI-FAMILY MEDIUM DENSITY DISTRICT TO THE PROPERTY LEGALLY DESCRIBED AS: LOTS 8-21, BLOCK 30 OF THE REPLAT OF LINCOLN HEIGHTS AND THE ADJOINING RIGHT OF WAY OF 15<sup>TH</sup> ALLEY SOUTH LOCATED IN NE1/4 OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M. MT, CASCADE COUNTY, MONTANA

\* \* \* \* \*

WHEREAS, K&V Family Properties LLC, is the owner of record and has petitioned the City of Great Falls to annex the subject properties, consisting of ±1.028 acres, as legally described above; and

WHEREAS, K&V Family Properties LLC has petitioned said properties to be assigned a City zoning classification of R-5 Multi-family Medium Density, upon annexation to City; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on March 26, 2019, to consider said zoning request and, at the conclusion of said hearing, passed a motion recommending the City Commission zone the property legally described as Lots 8-21, Block 30 of the Replat of Lincoln Heights and the adjoining right of way of 15th Alley South located in NE1/4 of Section 18, Township 20 North, Range 4 East, P.M. MT, Cascade County, Montana to R-5 Multi-Family Medium Density district; and

WHEREAS, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing before the Great Falls City Commission on this zoning designation would be held on the 7th day of May, 2019, before final passage of said Ordinance herein; and

WHEREAS, the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.40.030; and

WHEREAS, following said public hearing, it was found and decided that said zoning designation be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. It is determined that the herein requested zoning assignment meets the criteria and guidelines cited in Mont. Code Ann. § 76-2-304, and meets the requirements of OCCGF Section 17.16.40.030.

Section 2. That the property legally described as: Lots 8-21, Block 30 of the Replat of Lincoln Heights and the adjoining right of way of 15th Alley South located in NE1/4 of Section 18, Township 20 North, Range 4 East, P.M. MT, Cascade County, Montana, be designated as R-5 Multi-Family Medium Density as shown in Exhibit A.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading April 16, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading May 7, 2019.

---

Bob Kelly, Mayor

ATTEST:

---

Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

---

Sara Sexe, City Attorney

State of Montana )  
County of Cascade : ss  
City of Great Falls )

I, Darcy Dea, Deputy City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3204, on the Great Falls Civic Center posting board and the Great Falls City website.

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
Darcy Dea, Deputy City Clerk

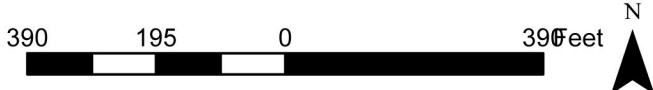
(CITY SEAL)



Exhibit A - Ordinance 3204



-  Ordinance 3204
-  Tracts of Land



## FINDINGS OF FACT/BASIS OF DECISION – Zoning Map Amendment

Amended plat of Lots 8-21, Block 30 of the Replat of Lincoln Heights, located in the S1/4 of Section 18, Township 20 North, Range 4 East, PMM, City of Great Falls, Cascade County, Montana and the right-of-way of 15th Alley South.

### PRIMARY REVIEW CRITERIA:

The basis for decision on zoning map amendments is listed in the Official Code of the City of Great Falls §17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of the City Commission shall at a minimum consider the following criteria:

#### 1. The amendment is consistent with and furthers the intent of the City's growth policy.

The proposed zoning map amendment is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project is strongly supported by the Social and Physical portions of the Growth Policy, specifically the goals and principles to 1) encourage a diverse, safe, and affordable supply of housing in the City; and 2) encourage a balanced mix of land uses throughout the City.

Additionally, the zoning map amendment specifically supports the following goals and policies:

#### Social - Housing

- Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the city.
- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes, and assisted living facilities.
- Soc1.4.5 Continue to support the development of accessible housing units for those with physical and mental challenges and special needs, including members of the community with disabilities, etc.

#### Environmental – Urban Form

- Env2.3.1 In order to maximize existing infrastructure, identify underutilized parcels and areas with infill potential as candidates for redevelopment in the City.

#### Physical – Land Use

- Phy4.1.1 Promote and incentivize infill development that is compatible with the scale and character of established neighborhoods.
- Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.
- Phy4.1.5 Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure.

#### Physical – Zoning

- Phy4.2.5 Promote orderly development and the rational extension of infrastructure and City services.

#### Physical - Efficient Infrastructure

- Phy4.3 Optimize the efficiency and use of the City's public facilities and utilities.
- Phy4.3.2 Plan for the provision of appropriate infrastructure improvements, where needed, to

support development.

**2. The amendment is consistent with and furthers adopted neighborhood plans, if any.**

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject properties are located in Neighborhood Council #5. The applicant presented the project to the Neighborhood Council on January 21, 2019, and the council voted unanimously in support of the project.

**3. The amendment is consistent with other planning documents adopted by the City Commission, including a river corridor plan, transportation plan, and sub-area plans.**

The subject properties do not lie within any adopted plan or sub-area planning areas. The proposed improvements for all proposed roads in the development are consistent with City transportation planning documents.

**4. The code with the amendment is internally consistent.**

The proposed establishment of zoning is not in conflict with any portion of the existing City Code and will be consistent with the adjacent multi-family zoning to the south where similar facilities are existing. The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values in the neighborhood.

**5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.**

There are no existing public health, safety or welfare issues that have been identified for these properties. Street and utility infrastructure have been proposed with consideration of the potential development possibilities of surrounding properties.

**6. The City has or will have the financial and staffing capability to administer and enforce the amendment.**

The City has the financial and staffing capability to enforce the amendment if it is approved. The zoning map amendment will only affect the subject properties and they will be developed in a manner consistent with the zoning for this area.

RESOLUTION 10290

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 15TH ALLEY SOUTH WITHIN BLOCK 30, REPLAT OF LINCOLN HEIGHTS, AS SHOWN IN EXHIBIT A, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448, MONTANA CODE ANNOTATED AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

\* \* \* \* \*

WHEREAS, the Replat of Lincoln Heights dedicated a sixteen (16) foot wide right-of-way for 15th Alley South within Block 30; and,

WHEREAS, K & V Family Properties LLC, owns the properties on both sides of said right-of-way and has submitted a petition to have said 15th Alley South vacated; and,

WHEREAS, Montana Code Annotated (MCA), 2017 Section 7-3-4448 sets forth, in pertinent part: (1)...Before vacating any street or part thereof or narrowing any street, the commission shall first pass a resolution declaring its intention to do so; and

WHEREAS, it is determined retention of 15th Alley South within Block 30 serves no practical or functional traffic related purpose or for access by the public and is not needed, and it is determined that a twenty (20) foot wide utility easement will be created to accommodate public utilities; and

WHEREAS, the right-of-way and easement therein of any owner is not impaired by requested vacation; and

WHEREAS, an Amended Plat of Lots 8-21, Block 30, of the Replat of Lincoln Heights including those portions of vacated right-of-way, has been prepared which reflects the aggregation of said parcels and the requested vacated right-of-way into one parcel.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA.

That Tuesday, the 7th day of May, 2019, at 7:00 P.M. in the Commission Chambers of the Civic Center, Great Falls, Montana, is hereby set as the time and place at which the City Commission shall hear all persons relative to the proposed vacation of 15th Alley South within Block 30, Replat of Lincoln Heights; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of the City shall forthwith cause notice of this Resolution to be: (1) published in the Great Falls Tribune, the newspaper published nearest such land, and (2) posted to the Great Falls Civic Center posting board and the Great Falls City website.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 16th day of April, 2019.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Resolution 10290 in two conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Great Falls City website



\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)



# RESOLUTION 10290 - EXHIBIT A



-  Tracts of Land
-  Resolution - 10290

320 160 0 320 Feet





QUALITY SENIOR LIVING IN A RESIDENTIAL SETTING<sup>SM</sup>

## PETITION

January 29, 2019

Mayor Bob Kelly & City Commissioners City of Great Falls  
P.O. Box 5021  
Great Falls, MT 59403

### RE: BEEHIVE DEVELOPMENT – VACATE ALLEY REQUEST

We, the undersigned, are asking the City Commission of the City of Great Falls to vacate a portion of the 15<sup>th</sup> Alley South located between Lots 8-14 and Lots 15-21, Block 30, of the Replat of Lincoln Heights, that is located between 14<sup>th</sup> Avenue South and 15<sup>th</sup> Avenue South, and west of 25<sup>th</sup> Street South. The procedure to vacate streets is outlined in the Montana Code Annotated 7-3-4448 and requires a petition in writing of at least the Owners of the lots on the street or alley; and approval by a majority vote of the council. The undersigned represent 100% of the Owners.

The alley describe is at the Replat of Lincoln Heights, Block 30 located in the NE1/4 of Section 18, Township 20 North, Range 4 East and located between Lots 8-14 and Lots 15-21, both owned by K & V Family Properties LLC. The remainder of this alley of Block 30, is located in Cascade County, see attached drawing.

We appreciate your consideration in this matter.

Sincerely,

  
Michael Kingsley, Owner  
K & V Family Properties LLC

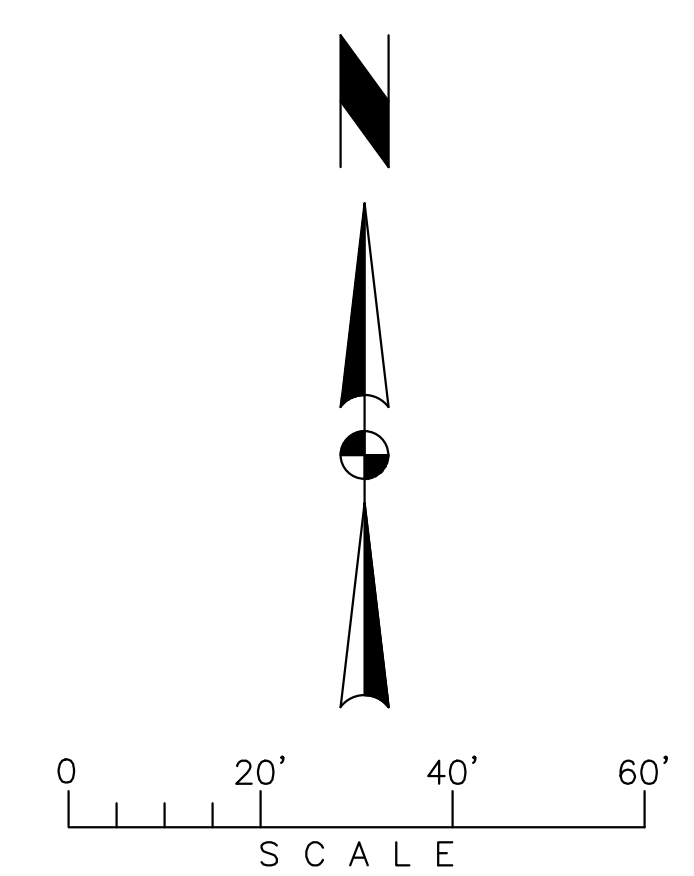
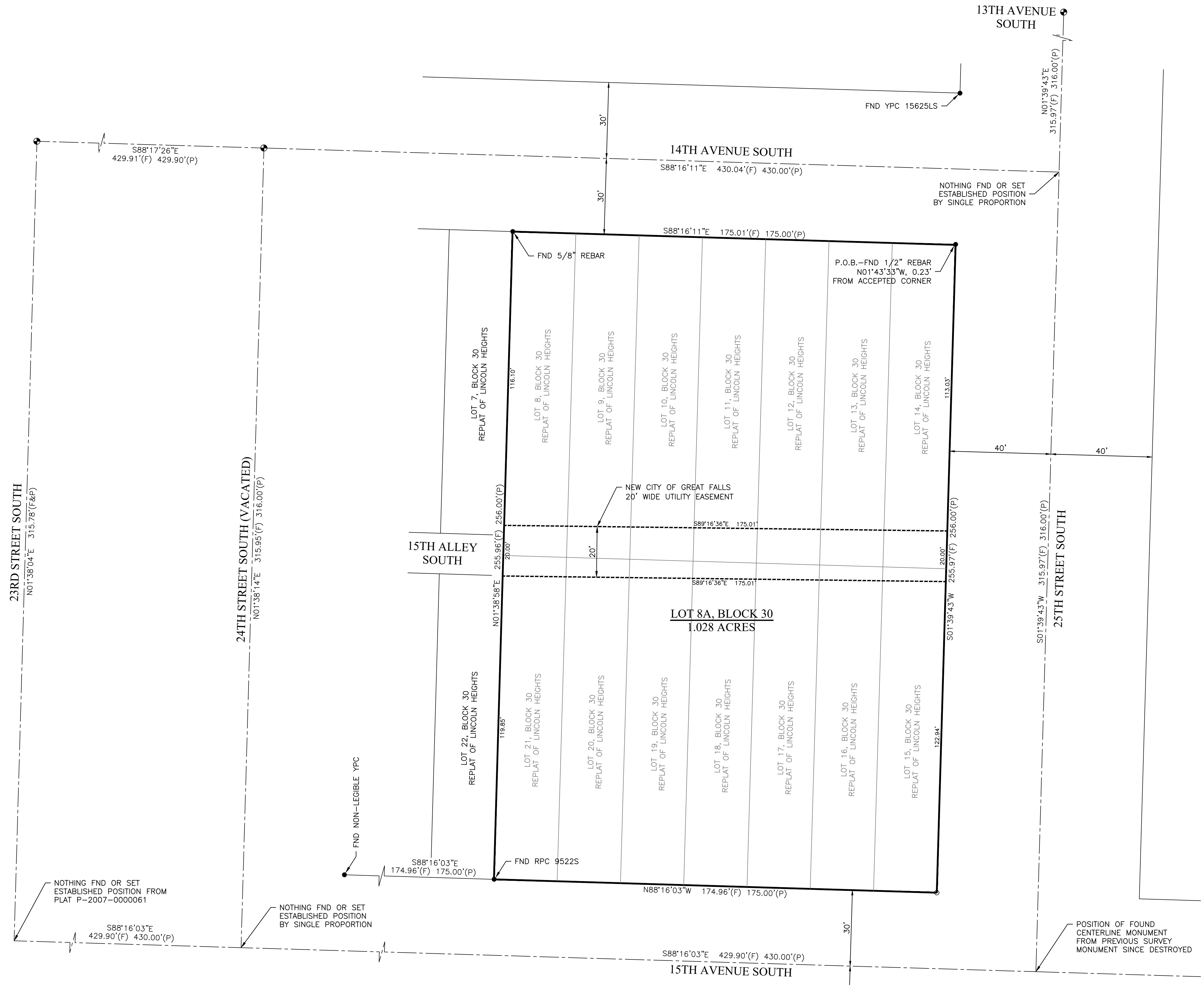
Date: 1-29-19



# AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH

LOCATED IN THE NE1/4 OF SECTION 18, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

LANDOWNER: K & V FAMILY PROPERTIES LLC



### LEGEND

- FND CENTERLINE MONUMENT
- SET PROPERTY PIN  
- 18"x5/8" REBAR/YPC 15625LS
- FOUND PROPERTY PIN
- PLAT BOUNDARY
- - - NEW EASEMENT THIS PLAT
- LOT LINE
- LOT LINE BEING DELETED THIS PLAT
- (F) FOUND/FIELD MEASUREMENT
- (P) PLAT RECORD DISTANCE
- LOT 1 LOT BEING AGGREGATED THIS PLAT

**BASIS OF BEARING:**  
GRID NORTH, MONTANA STATE PLANE COORDINATE SYSTEM, ESTABLISHED WITH SURVEY QUALITY GPS

- PURPOSE OF SURVEY:**
1. TO AGGREGATE THE VACATED PORTION OF 15TH ALLEY SOUTH AND LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INTO ONE LOT.
  2. TO CREATE A NEW CITY OF GREAT FALLS UTILITY EASEMENT

- EASEMENT NOTES:**
1. EASEMENTS OF RECORD MAY EXIST THAT ARE NOT SHOWN ON THIS AMENDED PLAT.
  2. WITH THE FILING OF THIS AMENDED PLAT, A NEW EASEMENT TO THE CITY OF GREAT FALLS WILL BE CREATED AND ACCEPTED.
  3. NO KNOWN EXISTING UTILITIES ARE LOCATED IN THE VACATED PORTION OF 15TH ALLEY SOUTH. THEREFORE WITH THE FILING OF THIS AMENDED PLAT, THE CITY OF GREAT FALLS IS APPROVING AND GIVING UP EASEMENT RIGHTS TO SAID VACATED ALLEY.

	DRAWN BY: DRK SURVEYED BY: KJV	DATE: 1-15-19 JOB NO. 18-031	QUALITY CHECK: X FIELDBOOK: X
	GREAT FALLS-BOZEMAN-KALISPELL-SHELBY SPOKANE LEWISTON WATFORD CITY		MONTANA WASHINGTON IDAHO NORTH DAKOTA



# AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH

LOCATED IN THE NE1/4 OF SECTION 18, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

LANDOWNER: K & V FAMILY PROPERTIES LLC

### CERTIFICATE OF CONSENT

I(we), the undersigned property owner(s), do hereby certify that I(we) have caused to surveyed and platted into lots, blocks, and easements, the following described tract of land in the City of Great Falls, Cascade County, Montana, to-wit:

A tract of land being Lots 8-21, Block 30, of the Replat of Lincoln Heights, including those accumulated portions of the vacated 15th Alley South, located in the NE1/4 of Section 18, Township 20 North, Range 4 East, P.M.M., City of Great Falls, Cascade County, Montana, and being more particularly described as follows:

Beginning at the Northeast corner of said Block 30, being the intersection of the Southerly right-of-way line of 14th Avenue South and the Westerly right-of-way line of 25th Street South; thence South 01°39'43" West along said Westerly right-of-way line, a distance of 255.97 feet to the Southeast corner of said Block 30, being the intersection with the Northerly right-of-way line of 15th Avenue South; thence North 88°16'03" West along said Northerly right-of-way line, a distance of 174.96 feet to the Southwest corner of said Lot 21 of Block 30; thence North 01°38'58" East along the Westerly boundary line of said Lots 8 and 21 of Block 30, a distance of 255.96 feet to the Northwest corner of said Lot 8 of Block 30, being a point on the Southerly right-of-way line of 14th Avenue South; thence South 88°16'11" East along said Southerly right-of-way line, a distance of 175.01 feet to the Point of Beginning and containing 1.028 acres, along with and subject to any existing easements.

The above described tract of land is to be known and designated as AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH, City of Great Falls, Cascade County, Montana.

Acceptance of shown new City of Great Falls easement:

A perpetual easement benefiting the City of Great Falls for the construction, maintenance, enlarging, reducing, replacing, or removal of underground utilities including above ground fire hydrants, valve boxes, and lids for accessing underground utilities, together with all necessary appurtenances thereto, in, under, through and across the real property shown on this plat together with right to excavate and refill ditches and/or trenches throughout the location of said general utilities. The City of Great Falls or its designee agrees that in the event of any excavation within said easement for purpose of maintenance or repair, the area shall be backfilled and/or restore the surface to its then existing condition. For the protection of said easement, the property owner shall not make or construct any buildings, retaining walls, trees, shrubs, bushes, or other structures that would impair the maintenance or operation of the utilities placed therein. Asphalt and Portland cement concrete paving, grass, traffic signs, mail boxes, fences, irrigation sprinkler systems are permissible improvements within the land covered by this easement. This grant of easement shall run with the land and shall be binding upon and shall inure to the benefit of the City of Great Falls, Montana its successors and assigns.

To the fullest extent permitted by law, the property owner shall indemnify, defend, and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to property owner's use of the real property described herein, except for the City's actions under this grant of easement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
K & V FAMILY PROPERTIES LLC

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

State of Montana )  
: ss  
County of Cascade)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned, a Notary Public for the State of Montana, personally appeared, \_\_\_\_\_, known to me to be the person who executed the Certificate of Ownership. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for the State of Montana (Notarial Seal)  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

### CERTIFICATE OF EXCLUSION

I, the undersigned property owner, do hereby certify that this accompanying plat is excluded from subdivision review, pursuant to ARM 17.36.605(3), stating "Aggregations of parcels are not subdivisions subject to review, except that an aggregation is subject to review under 76-4-130, MCA, if any parcel included in the aggregation has a previous approval issued under Title 76, chapter 4, Part 1, MCA".

### CERTIFICATE OF EXEMPTION

I, the undersigned property owner, do hereby certify that this accompanying plat is exempt from subdivision review, pursuant to Section 76-3-207(1)(f) M.C.A., stating the following aggregations of tracts are not subdivisions; "aggregation of parcels or lots when a certificate of survey or subdivision plat shows that the boundaries of the original parcels have been eliminated and the boundaries of a larger aggregate parcel are established. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas".

### CERTIFICATE OF PUBLIC WORKS DIRECTOR

I, Jim Rearden, Public Works Director for the City of Great Falls, Montana, do hereby certify that I have examined the accompanying plat of the AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH, and the survey it represents, find that same conforms to regulations governing the platting of lands and presently platted adjacent land, as near as circumstances will permit, do hereby approve the same.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
JIM REARDEN, Public Works Director  
City of Great Falls, Montana

### CERTIFICATE OF CITY COMMISSION

I, Gregory T. Doyon, City Manager of the City of Great Falls, Montana, do hereby certify that the accompanying plat of the AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH, was duly examined and approved by the City Commission of the City of Great Falls, Montana, at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
GREGORY T. DOYON, City Manager  
City of Great Falls, Montana

### CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned, Peter Fontana, President of the Great Falls Planning Board, City of Great Falls, Montana, and Craig Raymond, Secretary of said Great Falls Planning Board, do hereby certify that the accompanying plat of the AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH, has been submitted to the said Great Falls Planning Board, for examination by them and was approved at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Peter Fontana, President  
Great Falls Planning Board

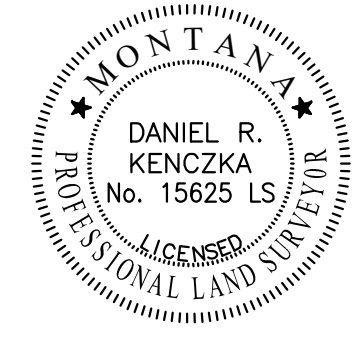
\_\_\_\_\_  
CRAIG RAYMOND, Secretary  
Great Falls Planning Board

### CERTIFICATE OF SURVEYOR

I, the undersigned, Daniel R. Kenczka, Professional Land Surveyor, Montana Registration No. 15625LS, do hereby certify that I supervised this Plat of the AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH, and platted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76-3-101 through 76-3-614, M.C.A., and Cascade County.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
Daniel R. Kenczka, Montana Reg. No. 15625LS



### CERTIFICATE OF COUNTY TREASURER

I, Diane C. Heikkila, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included in the accompanying plat of the AN AMENDED PLAT OF LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INCLUDING THOSE PORTIONS OF THE VACATED 15TH ALLEY SOUTH, and find that the current taxes are not delinquent.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_  
County Treasurer, Cascade County, Montana

### EASEMENT NOTES:

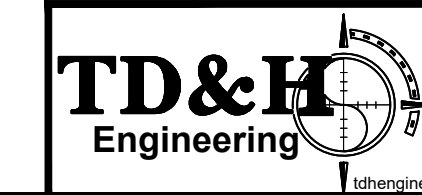
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3. NO KNOWN EXISTING UTILITIES ARE LOCATED IN THE VACATED PORTION OF 15TH ALLEY SOUTH. THEREFORE WITH THE FILING OF THIS AMENDED PLAT, THE CITY OF GREAT FALLS IS APPROVING AND GIVING UP EASEMENT RIGHTS TO SAID VACATED ALLEY.

BASIS OF BEARING:  
GRID NORTH, MONTANA STATE PLANE COORDINATE SYSTEM, ESTABLISHED WITH SURVEY QUALITY GPS

### PURPOSE OF SURVEY:

1. TO AGGREGATE THE VACATED PORTION OF 15TH ALLEY SOUTH AND LOTS 8-21, BLOCK 30, OF THE REPLAT OF LINCOLN HEIGHTS, INTO ONE LOT.
2. TO CREATE A NEW CITY OF GREAT FALLS UTILITY EASEMENT

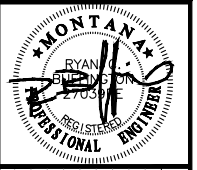
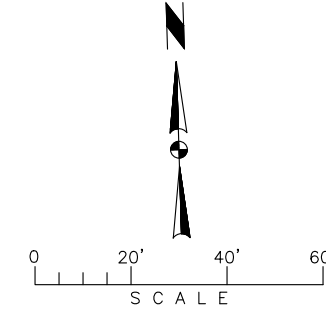
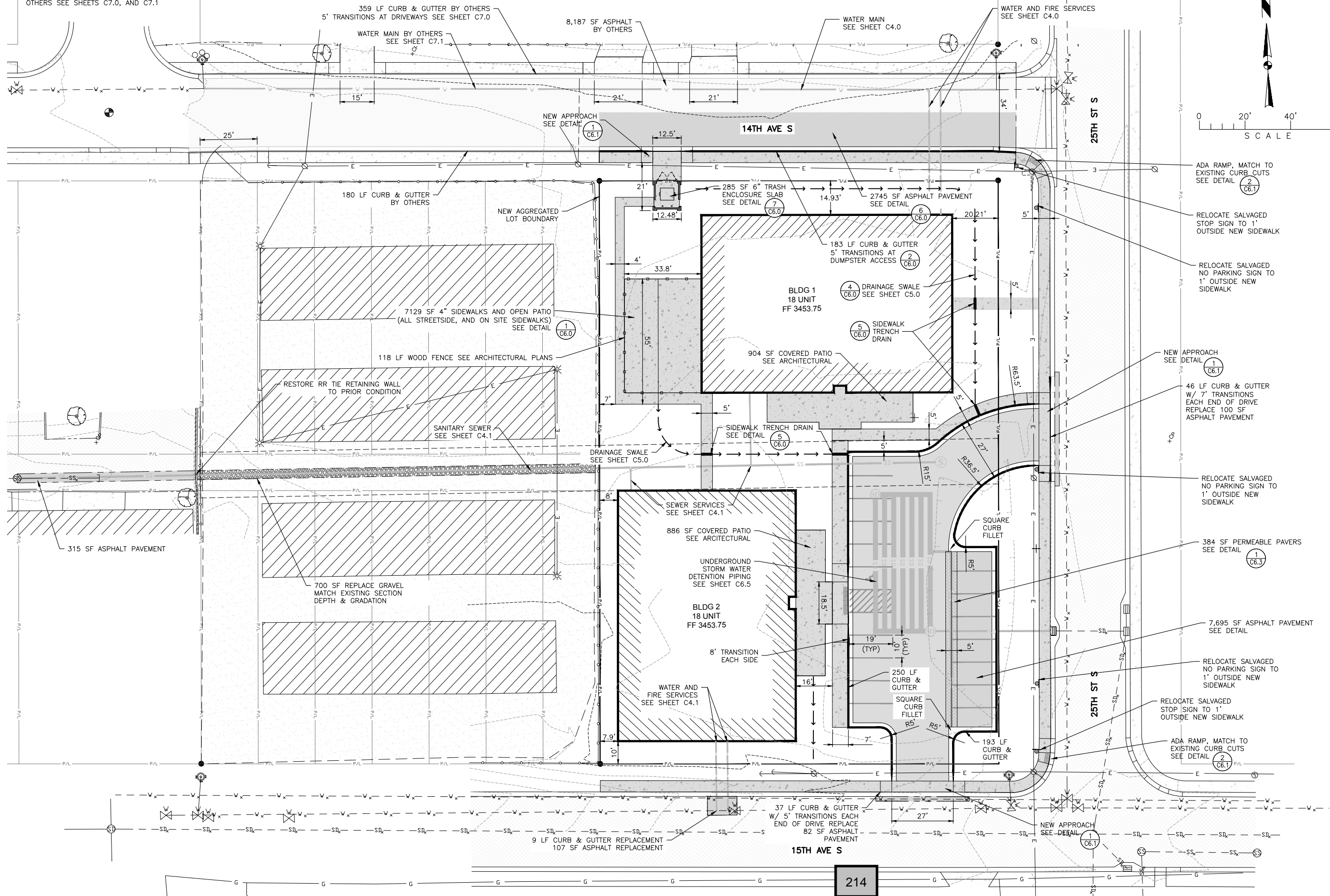
SHEET 2 OF 2



DRAWN BY: DRK	DATE: 1-15-19	QUALITY CHECK: X
SURVEYED BY: KVF	JOB NO. 18-031	FIELDBOOK X
GREAT FALLS-BOZEMAN-KALISPELL-SHELBY		MONTANA
SPOKANE		WASHINGTON
LEWISTON		IDAHO
WATFORD CITY		NORTH DAKOTA

J:\2018\18-031 Bee Hive Homes\CADD\CIVIL\18-031 C3.X SITE.dwg, 1/29/2019 4:25:31 PM, CDF

NOTE:  
FOR ADDITIONAL INFORMATION ON WORK BY OTHERS SEE SHEETS C7.0, AND C7.1



REV	DATE	REVISION



DRAWN BY: RCB/CDF  
DESIGNED BY: RCB  
QUALITY CHECK: RCB  
DATE: 01-28-2019  
JOB NO. 18-031  
FIELDBOOK XX

**BEEHIVE HOMES**  
**GREAT FALLS, MONTANA**

**SITE LAYOUT PLAN**





**Item:** Ordinance 3203, “An Ordinance Amending Title 2, Chapter 21, Section 090, of The Official Code of The City of Great Falls (OCCGF), Pertaining to The Great Falls Ethics Committee Meeting Schedule.”

**From:** Legal Department

**Initiated By:** Legal Department

**Presented By:** Sara R. Sexe, City Attorney

**Action Requested:** Adopt Ordinance 3203 on second reading.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Ordinance 3203.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Staff recommends the City Commission adopt Ordinance 3203.

**Background:**

The Great Falls Ethics Committee was established in 2017 to help in ensuring that City officials and staff continue to comply with Mont. Code Ann. Title 2, Chapter 2, pertaining to code of conduct for public officials and the Great Falls Ethics Code, OCCGF Title 2, Chapter 21. As the Code is currently written, the Committee is required to meet on the first Wednesday of the month in the City Commission Chambers after a matter has been referred to the Committee.

Recently, Staff has recognized complications with these current provisions. The coordination of Committee members’ schedules to meet these specific provisions has become difficult, resulting in rescheduling or cancellation of meetings. Staff is recommending the Commission adopt the Ordinance under consideration to remove this “first Wednesday” requirement to allow greater flexibility in scheduling Ethics Committee meetings. Additionally, Staff recommends to remove the requirement that the meetings be held in the City Commission Chambers, to allow for use of other areas of the Civic Center, as needed. These changes will improve efficiency and allow for more timely meetings.

Finally, Staff recommends that the ordinance allow for the City Attorney, in addition to the City Manager, to refer issues to the Ethics Committee. This is necessary for situations which arise where the City Manager may be unable or unwilling to refer the issue.

After the Committee held its initial hearing under the current ordinances and procedures, City Staff and outside legal counsel recognized that the process was cumbersome, confusing and unclear. Staff is currently working on recommendations to update and clarify processes, procedures and other ordinances pertaining to the Ethics Committee. Staff presented at today's work session to discuss the proposed ordinance changes, and afterward the Ethics Committee will meet to consider staff's recommended amendments to its processes and procedures.

Ordinance 3203 was accepted unanimously on first reading. Commissioner Moe expressed her wish to dissolve the Ethics Committee. Commissioner Moe reasoned that the infrequency of the meetings would lead to an inexperienced board that would not allow for sufficient due process. There was no other Commission discussion or public comment.

**Alternatives:**

The City Commission could deny Ordinance 3203, or the Commission could postpone action on the item to a date certain for further suggested amendments.

**Concurrences:**

City Manager's Office

City Clerk's Office

**Attachments/Exhibits:**

Ord. 3203

Ord. 3203 Exhibit "A"

**ORDINANCE 3203**

**AN ORDINANCE AMENDING TITLE 2, CHAPTER 21, SECTION 090, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO THE GREAT FALLS ETHICS COMMITTEE MEETING SCHEDULE.**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 2, Chapter 21, of the OCCGF outlining provisions pertaining to the Great Falls Code of Ethics; and

**WHEREAS**, the City Commission established the Great Falls Ethics Committee to ensure that all City officers and employees are performing their duties in compliance with the provisions of Mont. Code Ann. Title 2, Chapter 2, and the provisions of the Great Falls Code of Ethics; and

**WHEREAS**, OCCGF §2.21.090 pertaining to the Committee meeting schedule requires the Committee to meet on the first Wednesday of the month after a matter has been referred to the Committee;

**WHEREAS**, the City Commission wishes to amend OCCGF §2.21.090 to allow for more flexibility for when the Committee may meet after a matter has been referred to it; and

**WHEREAS**, the City Commission wishes to amend OCCGF §2.21.090 to allow for the City Attorney, in addition to the City Manager, to refer matters to the Ethics Committee.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. OCCGF Title 2, Chapter 21, Section 090 shall be amended as depicted in Exhibit "A" attached hereto, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This Ordinance will become effective thirty (30) days after adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading April 2, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading April 16, 2019.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

\_\_\_\_\_  
Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3203 on the Great Falls Civic Center posting board and the Great Falls City website.

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit "A"

Title 2 - ADMINISTRATION AND PERSONNEL

Chapter 21 CODE OF ETHICS

**Chapter 21 CODE OF ETHICS**

**Sections:**

...

**2.21.090 Committee meeting schedule.**

The Committee shall meet on an as needed basis, **no more frequently than once a month, after a matter has been referred to the Committee by direction of the City Manager or City Attorney. Committee meetings shall be held**; in the ~~City Commission Chambers~~ **Civic Center** and, ~~on the first Wednesday of the month after a matter has been referred to the Committee pursuant to this Chapter, or by direction of the City Manager.~~ ~~Committee meetings shall be open to the public, pursuant to Mont. Code Ann. Titles 2, and 7.,~~ and Committee meeting minutes shall be maintained by the City Clerk.

**(Ord. 3203, 2019; Ord. 3169, 2017).**



**Item:** Ordinance 3197, “An Ordinance Amending Title 1, Chapter 2, of the Official Code of the City of Great Falls (OCCGF) Adding Section 050 Establishing a Public Hearing Procedure.”

**From:** Legal Department

**Initiated By:** Legal Department

**Presented By:** Sara R. Sexe, City Attorney

**Action Requested:** Adopt Ordinance 3197 on second reading.

---

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Ordinance 3197.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

---

**Staff Recommendation:**

Staff recommends the City Commission adopt Ordinance 3197 on second reading.

**Background:**

The Ordinance under consideration is a continuation of the Staff’s code review. This proposed Ordinance would amend OCCGF Title 1, Chapter 2, to establish a public hearing procedure for all City entities which conduct public hearings on issues which may not involve land development issues under Title 17, such as:

1. The sale, trade or lease of City property required in OCCGF 3.04.030,
2. The setting of sanitation rates under OCCGF 8.32.350,
3. Community Needs Hearings required under federal HUD regulations,
4. Creation of special districts under Mont. Code Ann. 7-11-1007,
5. Creation of targeted economic development districts under Mont. Code Ann. 7-15-4279, and
6. Approval of budgets under Mont. Code Ann. 7-6-4021.

Staff is requesting the City Commission adopt the Ordinance under consideration to establish standard procedures for conducting public hearings for all City boards, commissions, committees, and councils. This will provide a consistent standard for City officials and staff, along with the public, that will improve efficiency and continue to protect public participation and due process considerations. For further informational background of Staff’s recommendation, please refer to the Agenda Report for



Ordinance 3198 also on this meeting's agenda.

The Ordinance under consideration was presented at the February 19, 2019 Commission work session. At its regularly scheduled meeting on March 12, 2019, the Planning Advisory Board unanimously recommended that the City Commission adopt Ordinance 3197.

At its meeting on April 2, 2019, the Commission unanimously accepted Ordinance 3197 on first reading. There was no Commission discussion or public comment.

**Alternatives:**

The Commission could deny Ordinance 3197, or the Commission could postpone action on the item to a date certain for further suggested amendments.

**Concurrences:**

Planning Advisory Board  
City Manager's Office  
Planning and Community Development  
City Clerk's Office

**Attachments/Exhibits:**

Ord. 3197  
Ord. 3197 Exhibit "A"

**ORDINANCE 3197**

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 2, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), ADDING SECTION 050 ESTABLISHING A PUBLIC HEARING PROCEDURE.**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 1 of the OCCGF pertaining to general provisions of City government; and

**WHEREAS**, the City Commission wishes to establish a universal procedure for conducting public hearings by all City Commissions, Boards, Councils and Committees; and

**WHEREAS**, establishing a universal procedure is appropriate in the general provisions of the OCCGF; and

**WHEREAS**, at its regularly scheduled March 12, 2019, meeting, the Great Falls Planning Advisory Board voted to recommend that the City Commission adopt Ordinance 3197.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. OCCGF Title 1, Chapter 2, Section 050, pertaining to public hearing procedures is hereby established as depicted by Exhibit “A” attached hereto and by reference incorporated herein; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading April 2, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading April 16, 2019.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

\_\_\_\_\_  
Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3197 on the Great Falls Civic Center posting board and the Great Falls City website.

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit "A"

Title 1 - GENERAL PROVISIONS

**Chapter 2 GENERAL PROVISIONS**

**Sections:**

**1.2.050 Public Hearing Procedure.**

Unless otherwise specified in the OCCGF, or by stipulation of the parties, all public hearings held by any City Commission, Council, Board, or Committee will follow the public hearing procedure set forth in the OCCGF, Title 17.

**(Ord. 3197, 2019).**



**Item:** Ordinance 3198, “An Ordinance Amending Title 17, Chapter 16, Article 6, of the Official Code of the City of Great Falls (OCCGF), Pertaining to Public Hearings.”

**From:** Legal Department

**Initiated By:** Legal Department

**Presented By:** Sara R. Sexe, City Attorney

**Action Requested:** Adopt Ordinance 3198 on second reading.

---

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Ordinance 3198.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

---

**Staff Recommendation:**

Staff recommends the City Commission adopt Ordinance 3198 on second reading.

**Background:**

OCCGF Title 17 is the Great Falls Land Development Code. As such, it is the largest and most complex of all OCCGF Titles. The Ordinance under consideration is the second Ordinance that has been presented in City Staff’s overall code revision effort pertaining to Title 17.

The intent of the OCCGF amendments proposed by the Ordinance under consideration is to clarify the process associated with public hearings. Ordinance 3197, to establish a City-wide universal public hearing process, is also on this meeting’s agenda, and would amend the OCCGF general provisions to apply processes set by the Ordinance under consideration to all City boards, commissions, councils, or committees.

The changes in Ordinance 3198 will provide assistance to presiding officers in conducting public hearings fairly and efficiently, in educating and informing the public as to the procedures by which public hearings are held, and in allowing a uniform process for public participation in City government. This proposed process will apply to public hearings on land use issues and non-land use issues (if Ordinance 3197 is adopted).

The first substantive amendment to the public hearing procedures outlined in OCCGF §17.16.6.020 is to require applicants to provide written materials before the public posting of the agenda for the subject

meeting. The applicant would be allowed to supply additional materials up to 72 hours before the scheduled meeting, if it chooses to do so after review of the posted staff report. These changes will provide more opportunity for the governing body, the public, and Staff to review the materials for substance prior to hearing. This would also reduce the need for postponing actions on agenda items.

OCCGF §17.16.6.030 refines and clarifies the entire process of holding public hearings. The proposed amendments to that section also include allowing the individual hearing bodies to adopt optional policies for allowing public questions to the applicant and/or City Staff. This procedure is already being utilized by the Planning Advisory Board and Zoning Commission.

The Ordinance under consideration would also provide in OCCGF §17.16.6.040 and 050, for an additional public hearing after the receipt of new, relevant and credible information during the public hearing. This would allow the information to be fully considered by the governing body, the public, and staff.

Additionally, Ordinance 3198 includes the opportunity for additional public comment on a motion, in limited situations. These situations would be after a hearing is closed, a motion presented substantially deviates from the publicly advertised motion which was suggested by staff. This would allow the body to hear limited public comment regarding the motion without the need to either set an additional public hearing at a later time, or to postpone the action on the item. Staff anticipates that the need for this additional public comment opportunity would occur very infrequently.

The Ordinance under consideration was presented at the February 19, 2019 Commission work session. At its regularly scheduled March 12, 2019 meeting, the Planning Advisory Board recommended unanimously that the Commission adopt Ord. 3198.

Ord. 3198 Exhibit “A” is a document illustrating the provisions that will replace the current OCCGF Title 17 with added language in **bold** and deleted language in strikethrough. Exhibit “B”, attached to this agenda report, illustrates the proposed Code in clean format.

At its meeting on April 2, 2019, the Commission unanimously accepted Ordinance 3198 on first reading. Mayor Kelly requested an instructional flow chart be developed for the proposed procedure. A summary of and a flow chart summarizing the proposed procedure are attached to this agenda report.

**Alternatives:**

The Commission could deny Ordinance 3198, or it could postpone action on the item to a date certain for further suggested amendments.

**Concurrences:**

Planning Advisory Board  
City Manager’s Office  
Planning and Community Development

**Attachments/Exhibits:**

Ord. 3198  
Ord. 3198 Exhibit “A”  
Ord. 3198 Exhibit “B”  
Public Hearing Procedure Summary  
Public Hearing Flow Chart

**ORDINANCE 3198**

**AN ORDINANCE AMENDING TITLE 17, CHAPTER 16, ARTICLE 6, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO PUBLIC HEARINGS.**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 17 of the OCCGF outlining provisions pertaining to and known as the Land Development Code; and

**WHEREAS**, Title 17, Chapter 16, Article 6, contains the OCCGF provisions pertaining to the procedure for conducting public hearings; and

**WHEREAS**, the City Commission wishes to amend the procedure for the conducting of public hearings by all City Commissions, Boards, Councils and Committees; and

**WHEREAS**, the City Commission wishes to create consistency in procedure while still protecting citizens' rights to due process; and

**WHEREAS**, at its regularly scheduled March 12, 2019, meeting, the Great Falls Planning Advisory Board voted to recommend that the City Commission adopt Ordinance 3198.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. OCCGF Title 17, Chapter 16, Article 6, pertaining to public hearings is hereby amended as depicted by Exhibit "A" attached hereto and by reference incorporated herein with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading April 2, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading April 16, 2019.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

\_\_\_\_\_  
Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3198 on the Great Falls Civic Center posting board and the Great Falls City website.

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)



Title 17 LAND DEVELOPMENT CODE

**Article 6 PUBLIC HEARINGS**

**Sections:**

~~17.16.6.010 Legislative findings.~~

~~17.16.6.020 General requirements.~~

~~17.16.6.030 Procedure.~~

~~17.16.6.040 Continuances.~~

~~17.16.6.050 Public comment.~~

**17.16.6.010 Legislative findings.**

**17.16.6.020 General requirements.**

**17.16.6.030 Procedure.**

**17.16.6.040 Additional Public Hearing in Subdivision Applications.**

**17.16.6.050 Continuances and Additional Hearings.**

**17.16.6.060 Public comment.**

**17.16.6.010 Legislative findings.**

The City Commission makes the following findings:

- 1.—**A.** Public hearings should be conducted in an orderly, timely, and efficient manner; **and**
- 2.—**B.** Public ~~input~~ **participation** is important and should be encouraged.

**(Ord. 3198, 2019; Ord. 2923, 2005)**

**17.16.6.020 General requirements.**

- A.—~~Meetings to be public.~~ All public hearings shall be conducted in a place that is open to the public.
- B.—~~Notice of meetings.~~ **B.** Notice of public hearings shall be given as provided for in Article 4 of this chapter **Chapter and/or in accordance with other applicable laws and regulations.**
- C.—~~Minutes.~~ The body conducting the hearing shall keep minutes ~~of the proceedings,~~ **indicating in compliance with Mont. Code Ann. §2-3-212.**
- D. **All public hearings pertaining to land use and development shall be conducted pursuant to the provisions of this Article.**
- E. **To allow public access to the attendance of each member, and the vote of each member on each question. The applicant's materials:**

Exhibit "A"

Title 17 LAND DEVELOPMENT CODE

1. **must be submitted to the appropriate** body ~~conducting the hearing shall approve the minutes, and upon approval shall become part~~ **liaison in advance of the posting of the meeting agenda for the public, but**
  2. **if after receipt of the staff agenda report, an applicant has additional materials for electronic viewing at the meeting, those materials must be provided to the appropriate body liaison no less than 72 hours prior to the meeting.**
- F. **Members of the public record are encouraged to submit written information prior to the public hearing.**

(Ord. 3198, 2019; Ord. 2923, 2005)

**17.16.6.030 Procedure.**

The body conducting the public hearing shall follow the following general procedure:

- 4.—A. The presiding officer shall announce the purpose and subject of, **and open**, the public hearing;
- 2.—B. The presiding officer shall ask the staff to present a staff report, ~~if required.~~ **on the matter at issue;**
- 3.—C. **The presiding officer shall allow the applicant (either directly or through a representative) to provide a presentation. The applicant's presentation at the hearing is limited to ten minutes, subject to extension at the discretion of the presiding officer with the concurrence of the body;**
- D. **The body conducting the public hearing may adopt optional processes to allow for public questions for the purposes of understanding and clarification. If such processes are adopted, before requesting comments from proponents or opponents, the presiding officer will call for questions from the public, which will be accepted and answered in the following manner:**
  1. **All questions from the public shall be directed to the presiding officer; and**
  2. **After all questions have been presented to the presiding officer, the officer shall close the question period and request that the staff and/or the applicant provide responses to the questions;**
- E. **Members of the body conducting the public hearing may then direct questions to both the applicant and staff, if present. staff and/or to the applicant for the purposes of understanding and clarification of issues regarding the application;**
- 4.—F. **No member of the body or public shall express, or engage in, substantive opinions or discussion during the question periods;**
- G. **The presiding officer shall ask for statements comments, not questions, from the public who are in favor of the application;**
- 5.—H. **The presiding officer shall ask for statements comments, not questions, from the public who oppose the application;**
- 6.—I. **The presiding officer shall call for discussion of the members of the body conducting the public hearing during which time they may ask questions of the applicant and staff, if present. 7.—The presiding officer shall ask the applicant if he/she wishes to (1) respond to any comment made by an individual during the proceeding; (2) submit additional**

Title 17 LAND DEVELOPMENT CODE

information; ~~(3)~~ and/or amend **respond to any comment made during the question or public comment periods. The applicant's submission or response is limited to five minutes, subject to extension at the discretion of the presiding officer with the concurrence of the body;**

- J. **The presiding officer shall close the public hearing;**
- K. **The presiding officer shall call for a motion regarding the application-**
- ~~8. Following discussion, a motion to approve or deny the application or a, and after the motion to recommend approval or denial, as appropriate, shall be made and is seconded-, the presiding officer shall call for discussion from the members of the body; and~~
- L. **After the discussion by the members of the body, the presiding officer shall call for a vote.**

**(Ord. 3198, 2019; Ord. 2923, 2005)**

**17.16.6.040 Additional Public Hearing in Subdivision Applications.**

In subdivision applications, before a motion to approve, deny, amend, or otherwise regarding an application, the body shall determine, under the provisions of Mont. Code Ann. §76-3-615(2)(b), whether the public comments or documents presented during the public hearing constitute new information which has not been previously submitted for public examination and comment.

- A. **If the body determines that new information at the hearing meets the terms of Mont. Code Ann. §76-3-615(2)(b), the body may:**
  - 1. **Approve, conditionally approve, or deny the proposed subdivision without basing its decision on the new information if the governing body determines that the new information is either irrelevant or not credible; or**
  - 2. **Schedule, or direct City staff to schedule, a subsequent public hearing for consideration of only the new information that may impact the findings and conclusions that the body will rely upon in making its decision.**
- B. **An additional public hearing set according to this process, suspends the time requirements for final decision during the time between the original and the subsequent public hearings.**

**(Ord. 3198, 2019; Ord. 2923, 2005)**

**17.16.6.050 Continuances, Additional Comment and Public Comment.**

- ~~A. —Initiation—~~ **The applicant or applicant's representative may request a continuance during the proceedings and the body conducting the public hearing may agree to grant the continuance upon a showing of good cause. Likewise, the body conducting the public hearing may ask the applicant for a**
- B. **A public hearing which has been formally closed may not be reopened. If after a public hearing has been closed, a seconded motion substantially deviates from the publicly noticed suggested motion, the presiding officer may offer an opportunity for additional public comment on the motion before final action;**
- C. **The body, upon motion and vote, may call for an additional public hearing, if the body determines that new, relevant and credible information has been presented**

Exhibit "A"

Title 17 LAND DEVELOPMENT CODE

during the public hearing which the public and/or the body has not had a reasonable opportunity to comment upon and/or to consider.

- D. ~~A granted~~ continuance, ~~who is not under compulsion to grant such continuance.~~  
**Effect.** ~~A continuance stops the time clock for making a decision.~~ **or an additional public hearing suspends any time requirements for final decision during the time between the original and the subsequent public hearings.**

(Ord. 3198, 2019; Ord. 2923, 2005)

~~17.16.6.050060~~ Public comment.

A. ~~Time limitations on public comment.~~ **If limits are not previously established by the body, the** presiding officer may impose time limits on ~~each individual members of the public who wishes~~ **wish** to speak to assure completion of the agenda in a timely manner.

B. ~~Written comment.~~ **B.** Members of the public may submit written statements to the body conducting the public hearing **prior to the body taking final action on the item.**

(Ord. 3198, 2019; Ord. 2923, 2005)

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**Article 6 PUBLIC HEARINGS**

**Sections:**

- 17.16.6.010 Legislative findings.
- 17.16.6.020 General requirements.
- 17.16.6.030 Procedure.
- 17.16.6.040 Additional Public Hearing in Subdivision Applications.
- 17.16.6.050 Continuances and Additional Hearings.
- 17.16.6.060 Public comment.

**17.16.6.010 Legislative findings.**

The City Commission makes the following findings:

- A. Public hearings should be conducted in an orderly, timely, and efficient manner; and
- B. Public participation is important and should be encouraged.

(Ord. 3198, 2019; Ord. 2923, 2005)

**17.16.6.020 General requirements.**

- A. All public hearings shall be conducted in a place that is open to the public.
- B. Notice of public hearings shall be given as provided for in Article 4 of this Chapter and/or in accordance with other applicable laws and regulations.
- C. The body conducting the hearing shall keep minutes in compliance with Mont. Code Ann. §2-3-212.
- D. All public hearings pertaining to land use and development shall be conducted pursuant to the provisions of this Article.
- E. To allow public access to the application materials, the applicant's materials:
  - 1. must be submitted to the appropriate body liaison in advance of the posting of the meeting agenda for the public, but
  - 2. if after receipt of the staff agenda report, an applicant has additional materials for electronic viewing at the meeting, those materials must be provided to the appropriate body liaison no less than 72 hours prior to the meeting.
- F. Members of the public are encouraged to submit written information prior to the public hearing.

(Ord. 3198, 2019; Ord. 2923, 2005)

Exhibit "B"

Title 17 LAND DEVELOPMENT CODE

**17.16.6.030 Procedure.**

The body conducting the public hearing shall follow the following general procedure:

- A. The presiding officer shall announce the purpose and subject of, and open, the public hearing;
- B. The presiding officer shall ask the staff to present a staff report on the matter at issue;
- C. The presiding officer shall allow the applicant (either directly or through a representative) to provide a presentation. The applicant's presentation at the hearing is limited to ten minutes, subject to extension at the discretion of the presiding officer with the concurrence of the body;
- D. The body conducting the public hearing may adopt optional processes to allow for public questions for the purposes of understanding and clarification. If such processes are adopted, before requesting comments from proponents or opponents, the presiding officer will call for questions from the public, which will be accepted and answered in the following manner:
  - 1. All questions from the public shall be directed to the presiding officer; and
  - 2. After all questions have been presented to the presiding officer, the officer shall close the question period and request that the staff and/or the applicant provide responses to the questions;
- E. Members of the body conducting the public hearing may then direct questions to staff and/or to the applicant for the purposes of understanding and clarification of issues regarding the application;
- F. No member of the body or public shall express, or engage in, substantive opinions or discussion during the question periods;
- G. The presiding officer shall ask for comments, not questions, from the public who are in favor of the application;
- H. The presiding officer shall ask for comments, not questions, from the public who oppose the application;
- I. The presiding officer shall ask the applicant if the applicant wishes to submit additional information and/or respond to any comment made during the question or public comment periods. The applicant's submission or response is limited to five minutes, subject to extension at the discretion of the presiding officer with the concurrence of the body;
- J. The presiding officer shall close the public hearing;
- K. The presiding officer shall call for a motion regarding the application, and after the motion is seconded, the presiding officer shall call for discussion from the members of the body;  
and
- L. After the discussion by the members of the body, the presiding officer shall call for a vote.

(Ord. 3198, 2019; Ord. 2923, 2005)

**17.16.6.040 Additional Public Hearing in Subdivision Applications.**

In subdivision applications, before a motion to approve, deny, amend, or otherwise regarding an application, the body shall determine, under the provisions of Mont. Code Ann. §76-3-615(2)(b), whether

Exhibit "B"

Title 17 LAND DEVELOPMENT CODE

the public comments or documents presented during the public hearing constitute new information which has not been previously submitted for public examination and comment.

- A. If the body determines that new information at the hearing meets the terms of Mont. Code Ann. §76-3-615(2)(b), the body may:
  - 1. Approve, conditionally approve, or deny the proposed subdivision without basing its decision on the new information if the governing body determines that the new information is either irrelevant or not credible; or
  - 2. Schedule, or direct City staff to schedule, a subsequent public hearing for consideration of only the new information that may impact the findings and conclusions that the body will rely upon in making its decision.
- B. An additional public hearing set according to this process, suspends the time requirements for final decision during the time between the original and the subsequent public hearings.

(Ord. 3198, 2019; Ord. 2923, 2005)

**17.16.6.050 Continuances, Additional Comment and Public Comment.**

- A. The applicant or applicant's representative may request a continuance during the proceedings and the body conducting the public hearing may grant the continuance upon a showing of good cause.
- B. A public hearing which has been formally closed may not be reopened. If after a public hearing has been closed, a seconded motion substantially deviates from the publicly noticed suggested motion, the presiding officer may offer an opportunity for additional public comment on the motion before final action;
- C. The body, upon motion and vote, may call for an additional public hearing, if the body determines that new, relevant and credible information has been presented during the public hearing which the public and/or the body has not had a reasonable opportunity to comment upon and/or to consider.
- D. A granted continuance or an additional public hearing suspends any time requirements for final decision during the time between the original and the subsequent public hearings.

(Ord. 3198, 2019; Ord. 2923, 2005)

**17.16.6.060 Public comment.**

- A. If limits are not previously established by the body, the presiding officer may impose time limits on members of the public who wish to speak to assure completion of the agenda in a timely manner.
- B. Members of the public may submit written statements to the body conducting the public hearing prior to the body taking final action on the item.

(Ord. 3198, 2019; Ord. 2923, 2005)

## PUBLIC HEARING PROCEDURE SUMMARY

STEPS	ACTION	ADDITIONAL INFO.
<b>1</b>	The presiding officer opens the public hearing announcing the subject of and purpose of the hearing.	
<b>2</b>	The appropriate City Staff member presents the Staff report on the matter at issue.	
<b>3</b>	If the applicant is an individual or entity other than staff, the presiding officer shall provide opportunity for the applicant or representative to provide a presentation on the matter at issue.	
<b>4</b>	If the body has adopted a policy allowing questions from the public the presiding officer shall allow such questions.	All questions must be addressed to the presiding officer.  The presiding officer shall direct all questions to appropriate Staff or applicant.
<b>5</b>	Members of the body conducting the hearing may direct questions to Staff and or the applicant.	No member of the body or public may express or discuss substantive opinions on the subject matter during periods of questioning.
<b>6</b>	The presiding officer calls three times for comments, not questions, from proponents.	
<b>7</b>	The presiding officer calls three times for comments, not questions, from opponents.	
<b>8</b>	The presiding officer shall provide the applicant an opportunity to respond to any comment made during the question and answer or comment periods.	Applicant's response is limited to five minutes, subject to the discretion of the presiding officer with concurrence of the body.
<b>9</b>	The presiding officer closes the public hearing and calls for a motion.	If the motion is seconded, the presiding officer calls for discussion amongst the body.
<b>10</b>	Following discussion, the presiding officer calls for the vote.	If the seconded motion substantially deviates from the publicly noticed suggested motion, the presiding officer may offer an opportunity for additional public comment on the motion before final action.



## PUBLIC HEARING PROCESS FLOW CHART

